

Nullification, A Constitutional History, 1776-1833
Volume Three

In Defense of the Republic: John C. Calhoun
and
State Interposition in
South Carolina, 1816-1833

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Dedicated to the University and the people of South Carolina
who may better understand and appreciate the history of the Palmetto State
from the Revolution to the Civil War

Preface

Why was there a third Nullification in America (after the first one in Virginia in the 1790's and a second one in New England from 1808 to 1815) and why did it originate in South Carolina? Answers to these questions, focusing as they have on slavery and race and Southern sectionalism alone, have made Southerners and South Carolinians feel uncomfortable with this aspect of their past. This reconstruction of a critical event in the early national history, long in the making, began in the 1970's at the University of South Carolina to whom this volume is dedicated along with the good people of the Palmetto state who made a native Virginian feel very much at home. Different answers to the questions posed above, it is hoped, will help them better understand the important role their state played in American history from the Revolution (the War of Independence was won in the South with the help of those "Fighting Gamecocks," i.e., the military leaders such as Francis Marion, Thomas Sumter, and Andrew Pickens) to the Civil War (where the memory of '76 continued to shape the mind and actions of Carolinians and make them not hot-headed Southern disunionists but very much Americans defending liberty and the union as these terms were understood in their 18th century context).

The title of volume three of *Nullification, A Constitutional History, 1787-1833* speaks for itself. John C. Calhoun and the South Carolina nullifiers were all about defending the republic and the original principles of 1776 and 1787 (as they maintained at the time) rather than preserving slavery and threatening disunion if their "peculiar institution" was not made more safe and secure within the union of the states (as their many opponents claimed). As presented here in fact, the principal figures in the third Nullification movement were the anti-Nullifiers including James Madison and Andrew Jackson who between them denied original intentions and in the process contributed to the beginnings of a myth of democracy (American was born modern, liberal, democratic, and fully unified as a nation) and the myth of a reactionary South (whose central theme was slavery and where the egalitarian beliefs of the founders and framers were rejected in favor of an altogether new states' rights theory of government the articulation of which philosophy became the life work of John C. Calhoun who switched allegiances from "nationalism" to "sectionalism" mainly to advance his political career).

History proves otherwise. What was new in 1828-1833 was not only the rejection by some of states' rights and Nullification as an essential component of federalism (to which Mr. Madison contributed), but the enunciation especially in the words of Andrew Jackson of the union as absolute and indissoluble (which in turn was based on a reinterpretation of American history from 1607 that underscored the anachronistic notion that the nation was older than the states). Here was the real "prelude to Civil War" (foreshadowing the later language of Abraham Lincoln whose election in 1860 was the immediate cause of Southern secession led by South Carolina no less) that made the Nullification controversy in South Carolina such an important event politically, constitutionally, and above all historically.

In 1833, the union was preserved because historical revisionism or myth-making on the part of the anti-Nullifiers failed. Thanks to Calhoun and the South Carolina nullifiers, Americans (North and South) re-gained an understanding of their early history and the principles of republicanism and federalism which made the United States a

limited and a federal government and a union of the states rather than an unlimited one and the states united. It was history and especially what the framers of 1787 intended that made the difference. Ironically, the many issues confronting America in the aftermath of the War of 1812 (the tariff, internal improvements, the Bank of the United States, and slavery in the territories), and which renewed the old struggle between Federalists and Republicans, led to the publication first of the *Journal of the Federal Convention* in 1819 followed by the notes of Robert Yates in 1821 and beginning in 1827 the *Debates in the Several State Conventions on the Adoption of the Federal Constitution* edited by Jonathan Elliot. The opposing parties, it appears, were very desirous to prove that they alone were the real heirs to the principles of 1776 and 1787.

This struggle over history and to claim the mantle of the founders and framers was won by the Republicans-later Democrats (minus Andrew Jackson). Leading the way was John C. Calhoun who began to study the *Journal of the Federal Convention* after its publication and came to the conclusion that Nullification as a state veto or negative was clearly intended by the framers. It was, in short, inherent in the very federal nature of the government itself. Long before 1828, then, Calhoun had arrived at the conclusion that Nullification was constitutional and could be employed legitimately as a means to keep the government federal and limited. Announced anonymously in the “South Carolina Exposition & Protest” of 1828, Nullification became an actuality in 1832 when the tariff of 1832 was declared “null and void” by the legislature of South Carolina. Adding to the historical legitimacy of Nullification was the public acknowledgment in 1829 that Jefferson and Madison were indeed the authors of the Kentucky and Virginia Resolutions of 1798-1799. For Calhoun, however, this was just frosting on the cake so to speak. Between 1828 and 1833, he never wavered in his belief that Nullification was constitutional and derived from the Constitution and the intentions of the framers. He was right as James Madison’s *Notes of Debates* would prove long afterwards.

Introduction

It is one of the ironies of American history that the Nullifiers, who considered themselves to be defenders of the union and constitution, have nevertheless been portrayed as disunionists for challenging the authority of the national government and risking a civil war in the process. Even more negatively, the Nullifiers bear the additional burden of being labeled as un-American for supposedly turning their backs on the liberal principles of 1776 and inventing a new theory of government and society to protect the South's peculiar institution from the increasing threat of abolitionism. In fact, a consensus has emerged over the years that views nullification (and secession) as parts of a larger great reaction in the South related to the spread of slavery after 1815. As the region became based more and more upon cotton and slavery, the argument goes, it also became more defensive and reactionary particularly with respect to its peculiar institution which it sought to preserve at all costs.¹

Why John C. Calhoun and the Nullifiers should now be believed or, conversely, why the notion of a reactionary South should be rejected, is the central question to be addressed here. This new look at state interposition or nullification (as opponents negatively labeled it) is based first on a better understanding of the federal convention of 1787 and the kind of government that was finally created in 1789. Strange as it may seem, important aspects of this critical period have been ignored especially the central debate over the issue of drawing a dividing line between federal and state powers to achieve a new government that avoided the problems of the Confederation yet still incorporated the states in the structure of the government. (Why this particular debate has been avoided is an interesting question in its own right considering the vast amount of research on the constitution since 1787.)²

The second basis for this reconsideration of state interposition is to be found in the same republican ideology that has been used since the late 1960's to recover the thought of the founders and to reconstruct (not reinterpret) the events of the republic's early national history. Not only does republicanism provide the key to understanding the War of Independence and the movement for a new constitution, but it also reminds us that later Southern beliefs in states' rights, secessionism (or the right of revolution), strict construction, and agrarianism were by no means new ideas but integral components of America's original republican ideology. In effect, it was the North (or a minor portion of it) and not the South that changed its beliefs after 1830 as James M. McPherson has recently observed in *Battle Cry of Freedom*. This conclusion is further supported by other scholarship that has challenged the supposed supremacy of Lockean natural rights philosophy which assumption lies at the heart of modern American and Southern historiography.³

Given the obvious importance of republican ideology, it will be defined here at some length to provide the necessary foundation for seeing its persistence in the South both with respect to general ideas involved and to interpretations of the Revolution and the Constitution (two of the most critical events at issue during the Nullification

controversy). By definition, a republican government was one that promoted the public good and protected the liberty of its citizens “in contradistinction to the despotic form, which makes the good of the sovereign, or of one man, the only object of government.” Since “all men [were] by nature free and independent, and [had] certain inherent rights,” it necessarily followed that “the safety of the people is the supreme law [of government].” Government itself was formed so “that every member of society may be protected and secured in the peaceable, quiet possession and enjoyment of all those liberties and privileges which the Deity has bestowed on him.” Or, as James Iredell of North Carolina expressed it in 1788, “God did not make men to be unhappy.”⁴

Liberty, however, did not consist in “living without all restraint.” That would be anarchy, “with each man doing what was right in his own eyes, running amuck and ultimately dissolving all social bonds.” In this sense, government was an essential restraint on the lust and passions that drove all men. Without it, “the strongest would be master, [and] the weakest [would] go to the wall.”⁵

In keeping with the purpose of republican government, the right of revolution was also maintained as the ultimate sanction for the protection of people’s liberties. When government no longer served the purposes for which it was instituted, the people had the right to return to first principles and agree to a new compact. In Algernon Sidney’s words, “we say in general, he that institutes may also abrogate—*cujus est instituere, ejus est abrogare*.” The injury to be suffered ought to be very notorious, to be sure, as only the most extreme necessity would justify the upheaval that would certainly follow. Nevertheless, the right of revolution was and remained an integral part of Americans’ republican beliefs before 1865.⁶

A republican government, moreover, was one that was constitutional meaning that checks against the abuse of power were provided in some fashion. Before 1776, and following the ancient idea of Aristotle, it was accepted that liberty could be preserved by representing the basic social elements (monarchy, aristocracy, and democracy) in the structure of government itself. The resulting balance or sharing of power prevented usurpation by one (tyranny), the few (aristocracy), or the many (democracy). This fundamental maxim was given expression by John Dickinson when he asserted that a free people are “not those over whom government is reasonable and equitably exercised, but those, who live under a government so constitutionally checked and controlled, that proper provision is made against its being otherwise exercised.” (Until 1776, as will be seen, the monarchy of Great Britain conformed to the ideal of a mixed or balanced and government.)⁷

At the heart of republican ideology, and what made it such a powerful not to mention a timeless philosophy, was its concern with internal corruption and constitutional degeneration based on the fate of those republics of old that had lost their liberty. As Americans realized, republics were fragile polities highly susceptible to decay and decline from two interrelated causes: the loss of virtue among the people at large and the consequent growth of arbitrary power (the one inevitably following the other). This cycle of decay and decline was well-known and followed a regular pattern “from virtuous industry and valour [sic], to wealth and conquest; next to luxury, then to foul corruption and bloated morals; and, last of all, to sloth, anarchy, slavery, and political death.”⁸ What fueled this seemingly inevitable cycle was the selfish nature of man and his lust for power. Besides propelling men to seek their own riches and glory at the expense of the

public good, selfishness also made them unwitting participants in schemes to expand power beyond established limits. As Daniel Dulany stated in his *Considerations on the Propriety of Imposing Taxes* (Annapolis, 1765), “mankind are generally so fond of power that they are oftener tempted to exercise it beyond the limits of justice than induced to set bounds to it from the pure consideration of the rectitude of forbearance.” Or, in Sam Adams’ words, “ambition and lust of power above the law are...predominant passions in the breasts of most men.”⁹

While the threat of internal corruption remained a constant with republican theorists, the appearance of new financial institutions and instruments in the 1700’s—banks, debt, stock companies, paper money—created further alarm. The problem with debt was that it undermined a man’s freedom by making him dependent and ripe for the subversive designs of the ambitious. Equally dreaded were stockjobbers and financiers and their attendant paper systems that not only enriched one class at the expense of another, but created a new aristocracy of wealth. More important, they used their new tools in the old art of political bribery and corruption (as the English experience of the 1700’s dramatically proved). “Debt, so far from being either strength of credit,” said John Taylor of Caroline, “is a diminution of both; and that freedom from debt, is the only genuine source of national strength.” “A paper system,” he added, “pretends to make a nation rich and potent, at the expense of the majority.” Besides, “no funding system ever defended a nation.”¹⁰

Republican adherents had further doubts about commerce and economic development in general. Again, luxury was one of the banes of a republic and commerce was yet another means of acquiring riches. As for economic development, it led to many ill-effects (as the history of Europe in the 1700’s again proved)—crowded cities, landless and dependent workers, not to mention poverty. For these reasons, too republicans favored agriculture over commerce and manufacturing, rural life to urban, and regulation of the economy at the local and state levels. This is not to say that commerce and manufacturing were opposed completely. Rather these economic activities should help served the interests of agriculture.¹¹

The important points to be made here are these: (1) America did not begin its career with the same beliefs in democracy, capitalism, individualism, and materialism that we share today (Liberalism may have existed but it was not the dominant philosophy or value system). (2) Republicanism not only postulated an ideal government and society, but it also embodied within it the science of what to do next based on the lessons of the past. Whether in 1776, 1798-1800, or during the Nullification controversy in South Carolina, republican ideology justified and demanded efforts to preserve the republic against perceived threats be they internal or external.¹²

Thus, the “Logic of Rebellion” that led to independence in 1776. Knowing the awful consequences of corruption, and “that where there are wealth and power, there will be always crowds of servile Dependents,” and conceiving of liberty as the exercise of power within limits set by charter or compact, the colonists could only see in the acts of the British government over the period 1763-1776 a deliberate conspiracy to overthrow the ancient constitution and deprive them of their liberties. History, it seemed, was repeating itself. Like ancient Greece and Rome, Great Britain had grown corrupt in the course of empire since 1688.¹³

Threatened with the destruction of the British constitution by a corrupt and power-hungry ministry, the colonists had no other choice but to secede from the empire. It was the glory of the British constitution after all that it protected the essential rights of Englishmen. Now, these rights as well as the structure of the government itself were faced with extinction. In such a situation, Jonathan Mayhew declared, the people were “bound to throw off [their] allegiance.” Indeed, “a regard for the public welfare ought to make us withhold from our rulers that obedience and subjection which it would, otherwise, be our duty to render them.” To submit, he concluded, “would be stupid tameness and unaccountable folly.” So, on July 4, the colonists unanimously declared their independence.¹⁴

It was, in retrospect, a most unusual revolution. And what made it so unusual was that it was undertaken “not against the English constitution but on behalf of it.” “The colonists stood to the very end of their debate with [Great Britain]. . . on [the] natural and scientific principles of the English constitution.” The very definition of a good Whig in fact was one who stood for “keeping up the strictness of the true old Gothic constitution, under the three estates of King, Lords, and Commons.” Unfortunately, this view of the British constitution was not shared by the powers to be in England. Paralleling the expansion of the empire between 1688 and 1776, a new view of the constitution had been developed and hardened into orthodoxy: that “there is and must be in all [forms of government] a supreme, irresistible, absolute, uncontrolled authority, in which the *jura summi imperii*, or the rights of sovereignty, reside.” In the end, it was this new constitutional concept that dictated the British response to colonial resistance. “Considering. . . Britain and America as one Empire,” it was essential for the common welfare thatt “America. . . be obliged, if necessary, to submit” in order to vindicate “the constitutional authority of [the] Kingdom over its colonies. . . .”¹⁵

The Empire had thus foundered on the “rock of Imperial sovereignty.” Between the claim of colonial equality on the one hand, and that of Parliamentary supremacy on the other, there was no room for compromise. And the war came. As George III told Lord North in 1774, “blows must decide whether they [the] colonists are to be subject to this country or independent.” (A parallel development would later disrupt the American union in 1861.)¹⁶

That the newly independent colonists would turn around and create a strong central government was unthinkable. And they did not. America’s first government, the Articles of Confederation, was a mere league of sovereign states with no executive, no power of direct taxation, and a unicameral Congress. Reflecting the radical republicanism of the Revolutionary era, it was simple in structure and aimed at preventing the abuse of power from above based on the experience of 1763-1776. In their desire to guard against tyranny from above, however, Americans went to the other extreme and created a new form of tyranny from below (democratic despotism or majority tyranny) by placing too much power in the hands of the people or more precisely the state legislatures that represented their interests. This new lesson of history, learned in the 1780’s, would ultimately lead to the calling of a new constitutional convention *not to establish a strong government* but to make one that was properly balanced to preserve liberty.¹⁷

The new balance achieved, after lengthy and contentious debate and one that nationalists (including Madison) only reluctantly accepted after stubborn resistance on

the part of small-state delegates, combined separation of powers with the new concepts of checks and balances and federalism. Thus, not only were the functions of government (state and national) divided into separate departments (executive, legislative, and judicial), but each branch was armed with the power of self-defense to assure its independence i.e., a veto for the executive, appointments by the Senate, and appropriations by the House, for example (which arrangement gave rise to the later charge among those used to the old concept of separation of powers that a dangerous blending of power had occurred). Power, moreover, was to be further divided between the states and the general government.¹⁸

As neat and simple as the above description appears, the story behind the creation of a new American government is a more complicated and not fully understood one. While the convention itself accomplished much, the federal character of the new political system remained incomplete despite the Great Compromise of July 16 that provided for state representation in the Senate. What remained to be achieved, however, was to draw a line of demarcation between state and federal authority. What powers would states have to protect themselves from encroachments on the part of the federal government? Following John Dickinson's comment, that "the preservation of the States in a certain degree of agency is indispensable," George Mason stated that "the State Legislatures also ought to have some means of defending themselves against the encroachments of the Nat[iona]l Gov[ernmen]t. In every other department we have studiously endeavored to provide for its self-defence."¹⁹

The first effort in this direction, Madison's idea of a national negative or veto on state legislation, failed because of its alarming increase of national power over the states. Only with the adoption of the Tenth amendment would this most important issue be resolved. At last, a line of demarcation had been drawn to the satisfaction of states' rights advocates. Finally, too, the states had the power of self-defense that had been given to other departments.²⁰

The above debate is highlighted to underscore one of the most critical albeit neglected aspects of the whole constitutional debate. Indeed, the real debate was not so much over the powers of the new government (all agreed that expanded powers were needed). Nor did it center on the supremacy clause (which small state delegates readily accepted including the obdurate Luther Martin of Maryland who offered the motion guaranteeing national supremacy on July 17. As the debate both within and without the convention makes clear, the key issue concerned the role of the states now that they were no longer sovereign and independent. Would they be reduced to mere administrative units with few powers or eliminated altogether (as was hinted at)? Since the latter was not possible, how could they be incorporated into the structure of the new government without reverting to the old Confederation?²¹

It would not be incorrect to state here that the issue of state rights was one of the most critical confronting the framers in 1787. Besides stalling the convention until the Great Compromise, it was also one of the concerns uppermost in the minds of anti-Federalists (the real republicans). Hence their insistent call for amendments to preserve the rights of states as well as to protect individual liberties. Although labeled as opponents of the constitution, these state-righters only desired to preserve the federal character of the government and make it consistent with the spirit of liberty so loudly

echoed in 1776. When their demands were met with amendments, the constitution was readily accepted.²²

In sum, the government created over the period 1776-1791 was a union of the states (to use the popular term that prevailed before the Civil War to describe the new government). It was, in fact, an altogether new creation, a unique federal or “confederate. . . republic” as Alexander Hamilton described it. To James Madison, “The proposed Constitution. . . is, in strictness, neither national nor a federal Constitution, but a composition of both.”²³

Besides combining two sets of governments through a new division of powers (federalism), the constitution also made the people the sovereign power rather than the government itself. “It is our policy,” wrote John Taylor of Caroline, “to consider the people as retaining a vast share of political power, and as only investing their government with as much as they deem necessary for their own benefit.” “This new application of division, to an allotment of political power between a nation and its government,” he noted, “was suggested to us by its inefficacy if confined to an allotment [of power] among departments of government” for “it was seen, that omnipotent political power in a government, however theoretically divided, would become practically consolidated.” (It is worth noting here that Gordon S. Wood uses a Southerner to illustrate the new American concept of politics.)²⁴

The people, of course, were not the aggregate of citizens taken collectively, but the people of the states. Again, republican ideology helps to clarify a point of much confusion. Following the maxim of Montesquieu, that republics could only exist in small territories, it easily followed that states (being small republics themselves) were the pillars upon which the new federal government was to be extended over the large territory of the U. S. At the same time, it was agreed that one single government operating directly on individuals could not exist in America for that would constitute consolidation and despotism of the Asian variety.²⁵

Another feature of federalism and the extended republic was the protection it afforded against majority tyranny (or democracy). In James Madison’s famous words:

The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass in which they are placed, the more easily will they consent and execute their plans of oppression. Extend the sphere and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in unison with each other. . . .

“The power is given to the few,” declared Oliver Ellsworth in the convention, “to save them from being destroyed by the many.” (As will be seen, majority tyranny would become a critical issue during the 1820’s-1830’s.)²⁶

From the above analysis, a number of points are beyond dispute:

1. The government created by the constitution was neither national nor a revival of the Articles of Confederation. Again, the first form referred to one single government operating directly upon individuals in a large territory (as the despotic governments of Asia were). Interestingly, Andrew Jackson and the opponents of state interposition would accuse Calhoun and the Nullifiers of reverting back to the old Confederation, a charge that further belied their misunderstanding of the unique federal character of the American government. (Calhoun’s correct description can be followed below.)²⁷
2. State independence, moreover, was given up with the adoption of the Tenth amendment and state sovereignty no longer meant that the states were independent. Rather, as used by Madison, Jefferson, Calhoun, and many others, state sovereignty now referred to the reserved powers of the states over which they were supreme just as the federal government was supreme within its sphere of delegated powers. It should be noted here that the distinction between states’ rights and state sovereignty is a fiction conjured up by later historians to prove that the South’s political theory after 1830 was an altogether new creation that was alien to the principles of 1776 and 1787. Equally fictitious was Edward Livingston’s and James Madison’s later theory of divided sovereignty which they used to nullify the Nullifiers.²⁸
3. As was understood in 1787-91, federalism meant both the division of political power between the states and the general government as well as the power to enforce the delegated and reserved rights. To Condé Raguet, writing at a later period, “the doctrine of State Sovereignty is, in truth, the basis of our whole republican theory” and “without State Sovereignty, State Rights could never have had an existence and without State Remedies they can never be preserved.”²⁹
4. As for the ultimate source of political power, it lay with the people of the states who had in solemn conventions approved the new frame of government. Only they could alter or amend it. Americans in 1787 did not reject sovereignty or the existence of a supreme power. Rather they placed in the hands of the people of the states who used it to create a government. As Calhoun correctly noted, sovereignty, by definition, could not be divided (as claimed by Livingston and Madison). Only the powers of government had been divided. Despite later statements to the contrary, the federal government was not sovereign. As a creation of the states and the people therein, it was the servant of the people not their master. Likewise, its officials were agents or trustees not omnipotent.³⁰
5. Resting as it did on the consent of the governed, there is no doubt either that the government was a voluntary compact that could be dissolved. As even *The Federalist* admitted, the right of revolution remained a leading principle of republican government and represented the ultimate remedy for oppressive government. “The people were in fact, the fountain of all power, and by resorting to them, all difficulties were got over. They could,” said James Madison, “alter constitutions as they pleased. It was a principle in the [Va.] Bill of Rights, that first principles might be resorted to.”³¹

6. The ideas of John Locke, though popular, were not universally recognized even in 1776 and became less influential thereafter particularly following the French Revolution and the emergence of a new natural law theory of the origins of government. Taking exception to Locke, for example, Brutus II of New York stated in 1787 that, "The origin of society then is to be sought, not in any natural right which one man has to exercise authority over another, but in the united consent of those who associate. The mutual wants of men, at first dictated the propriety of forming societies; and when they were established, protection and dependence pointed out the necessity of instituting government." As another writer expressed it, "I know. . .that the people talk about the liberty of nature, and assert that we divest ourselves of a portion of it, when we enter into society. This is declamation against matter of fact. We cannot live without society. . . ." (When Calhoun would later write that man was a social animal and that government arose from the needs of society, he was not uttering anything new!)³³
8. The role of the Supreme Court was not settled with the finality it has today. Judicial review, based on separation of powers, was one thing; judicial legislation was something else entirely different and it was this latter tendency that raised alarm after 1813 (when Justice Joseph Story was appointed to the bench). And what if the Supreme Court validated an unconstitutional act?³⁴
9. After the ratification of the constitution, constitutional concerns remained paramount to Americans. They were so because the early republic coincided with an age of despotism that continued to remind them of the fragile nature of free governments. In other words, Southern constitutional scruples were formed long before the controversies over slavery and nullification (not vice-versa). Similarly, the opposition to consolidation or nationalization at the expense of the states was well underway before the great controversies of 1819-1833.³⁵
10. Ominously for the future, and critical to an understanding of the opposition to state interposition, a new view of the nature of the union was being developed after 1815 that emphasized its nationalistic character. According to Walter H. Bennett, there developed in the 19th century "the notion that the people of the U. S. comprised a compact national community. . .that. . .was now to be regarded as ultimately sovereign over any governments and over any political communities existent in the country." In a word, the union was becoming absolute.³⁶

Viewed against the background of republicanism and the nature of the union as it was understood in 1787, it is clear that John C. Calhoun and the Nullifiers did not change their beliefs. Republicanism remained a viable ideology that still governed their world outlook. Men were still selfish and history remained a continuing struggle between power and liberty (too often won at the expense of the latter). As proof for this assertion, Calhoun pointed to "the histories of those ancient & modern Republics" which "fully establish[ed] the truth of this position." As they demonstrated, "all governments are acuated by a spirit of Ambition and avarice" whatever their form which "if unchecked, must lead to tyranny and oppression."³⁷

Besides extolling the virtues of agriculture and the evils of capitalism, Calhoun and the Nullifiers still cherished the immortal memory of 1776 and "the Whig principles" that underlay that contest for freedom. To Southerners, the Revolution was a conservative movement, undertaken reluctantly, and in behalf of those "antient rights" inherited from

England. Its aim was neither independence nor political unity, but freedom from oppression. “We had,” declared Francis W. Pickens in 1831, “bathed deep in the fountains of English freedom. We [had] drawn our ideas from their great and glorious struggles which resulted in the establishment of Magna Charta.” They also remembered “the martyred death of Algernon Sidney and the consecrated blood of Hampden.” Thus “feeling as we did, speaking the English language, nurtured and educated as we had been, resistance to oppression could not have been otherwise than inherent in the living principle that made us all that we were—English.”³⁸

Consistent with the founding generation, too, they believed that the end of government was the preservation of liberty and the protection of the public good. Government, Calhoun wrote, was “an instrument of preventing injustice, which is its aim and end.” “The essence of liberty,” in his words again, “comprehends the idea of responsible power: that those, who make and execute the laws, should be controlled by those on whom they operate. . . .” The great object in politics was “to devise such a government as will restrict individual liberty least, and, at the same time, promote the welfare of society most.”³⁹

As in the past, liberty was maintained by the virtue, intelligence, and vigilance of citizens as well as by safeguards against the usurpation of power. “Government, although intended to protect and preserve society, ha[d] itself a strong tendency to disorder and abuse of its powers, as all experience and almost every page of history testif[ies].” Left unguarded, the powers vested in government would be “converted into instruments to oppress the rest of the community. That by which this is prevented. . . is what is meant by constitution. . . .”⁴⁰

The men who framed the constitution, Calhoun declared, “were wise and practical statesmen, enlightened by history and their own enlarged experience. . . .” They also “understood profoundly the nature of man and Government. They saw and felt, that there existed in our nature, the necessity of government, and gov[ernmen]t of adequate powers; they saw that the selfish [must] predominate over the social feelings, and that without a government of such powers universal conflict and anarchy must prevail among the component parts of society.” Thus their beliefs and reliance upon checks and balances to prevent oppression. “They. . . saw that in the ballance [sic] of these opposing tendencies, originating in the same source [selfishness], the one impelling to excess and the other to effect restraint [for self-preservation]. . . liberty and happiness must for ever depend.”⁴¹

For this reason, Calhoun further observed, they came up with the idea of the extended republic. By enlarging the territory to encompass a multiplicity of interests, they hoped that it would be impossible for any combinations or factions to form which would threaten the rights of all and especially those of the minority. “The experienced & wise men, who formed the instrument [the constitution],” he stated, “had not the folly to trust for the protection of liberty to the naked principle, that the majority has a right to govern. . . . They saw most clearly that however popular the system [of government] that checks must be interposed between the governing majority and the governed minority.” As such “they. . . placed power delegated to the General Government. . . not in the hands of a simple [numerical] majority of the people. . . but [in] a compounded [or concurrent] majority made up of the States and the people of the States. . . .” In other words, by this “principle of the concurring majority” (a majority estimated “not in reference to the whole, but [to] each class or community of which it is composed”) there was

“incorporated in the regular and ordinary operation of the Government” those distinct and different interests which made up a political community and whose individual consent was necessary “to give validity to the measures of Government [itself].”⁴²

As for the nature of the government created in 1787-1791, it was to Calhoun a “democratic, federal republic,” “a Union of sovereign states, under a compact which delegated certain powers to the General Government, and reserved all else to the States respectively or to the people.” Its “great and leading principle is,” he added, “that the General Government emanated from the people of the several States, forming distinct political communities, and acting in their separate and sovereign capacity, and *not from all of the people forming one aggregate political community.*”⁴³

It was, as he described it in *A Discourse on the Constitution and Government of the United States*, “a system of governments, compounded of the separate governments of the several States composing the Union and of one common government of all of its members, called the Government of the United States.” Under this arrangement, moreover,

The entire powers of government are divided between the two, those of a more general character being specifically delegated to the United States, and all others not delegated being reserved to the several States in their separate character. Each, within its appropriate sphere, possesses all the attributes and performs all the functions of government. Neither is perfect without the other. The two combined form one entire and perfect government.

Not only was power divided between the states and the national or general government (federalism), but it was also divided between the various departments of government—executive, legislative, and judicial. This “division of power into two parts with distinct and independent governments, regularly organized into departments, legislative, executive, and judicial. . . constitutes the great, striking and peculiar character of our system.” Madison, of course, likewise called the American government of 1787 unique and like no other ever formed.)⁴⁴

“The very essence of liberty,” Calhoun concluded, [is] that. . . power should be divided, distributed, and organized, that one interest may check the other.” This truth again “was fully understood at the time of the formation of this constitution.” Without this division of power, moreover, government in America would no longer be limited and free. Rather it would be unlimited, all powerful, and tyrannical.⁴⁵

No, it was not Calhoun and the Nullifiers who changed their beliefs after 1815, but the proponents of the American System who supported ever higher tariffs to benefit manufacturers and to pay for an expanded program of internal improvements for western development. What was laudable and necessary in 1816, given the second war with Great Britain, soon degenerated into a policy of sectional plunder that benefitted the industrializing North at the expense of the agricultural and importing South. As Calhoun described it, “the Old Republican party” had become “a spoil[s] party” through “Clay’s system of plunder.” Comparing Andrew Jackson to Caesar who, sword in hand, robbed the Roman treasury, Calhoun said “we are at the same stage of our political revolution. . . .”

With money I will get men, and with men, money, was the maxim of the Roman plunderer.' With money we will get partisans, with partisans votes, and with votes money, is the maxim of our public pilferers. With men and money, Caesar struck down Roman liberty at the fatal battle of Pharsalia, never to rise again; from which disastrous event, all the powers of the Roman Republic were consolidated in the person of Caesar, and perpetuated in his line. With money and corrupt partisans, a great effort is now making to choke and stifle the voice of American liberty. . . .

In classical fashion, too, they almost succeeded except for Calhoun and his supporters who initiated a country or Whig opposition of their own with the movement for state interposition to arrest the corrupting influences that were endangering the republic.⁴⁶

While the American System was corrupting the nation and enlarging the powers of the general government, it was also dividing the nation into two separate sections. Economics and politics, in short, were merging to create a sectional controversy that was dividing the nation and disrupting the old party system. Here, then, was the real "fire-bell in the night" that Jefferson alluded to in his famous letter to John Holmes in 1819. The issue here was not slavery, but the emergence of a sectional majority in the North that could impose its will upon a sectional minority (the South). The nation had become divided into major and minor interests along sectional lines, which situation (according to republican theory) the constitution of 1787 had been designed to prevent. By extending the republic, not only was republican government made possible in such a large territory as the U. S., but by incorporating many different interests and communities into the union and providing for their representation through the states and the Senate, tyranny by an absolute numerical majority would be prevented. Clearly, something had to be done.⁴⁷

The remedy for this novel and dangerous situation, announced by Calhoun anonymously in the "South Carolina Exposition and Protest" of 1828 and later publicly in his Ft. Hill letter of 1831, was for a single state to interpose itself between the general government and the other states to arrest an unwarranted assumption of powers. This right of interposition belonged to a state as one of its reserved powers under the Tenth amendment to the Constitution. As the contracting parties that had ordained the Constitution, states had not only delegated specific and limited powers, but reserved all others (never really defined) to themselves including the right to judge of constitutional infractions. Although the Constitution had prescribed a Supreme Court, Calhoun insisted, it did not possess the right of judicial review at least constitutionally, i.e., by an express grant of power. Besides, the court itself was just another branch of government created by the sovereign power of the people of the states. It was possible, too, that it could "also exercise, or sanction dangerous powers beyond the grant of the Constitution. . . ." (as court cases since 1816 had indicated).⁴⁸

"This right of state interposition," Calhoun stated, "be it called what it may. . . I conceive to be the fundamental principle of our system, resting on facts as certain as our revolution itself. . . and I firmly believe that on its recognition depend[s] the stability and safety of our political institutions." "Far from [being] anarchial or revolutionary," he added with emphasis, it was the great instrument of preserving republican liberty. As he wrote to James Hamilton, Jr., "it is acknowledged, on all sides, that the duration and

stability of our system depends on maintaining the equilibrium between the States and the General Government—[between] the reserved and delegated powers. We know, that the Convention which formed the Constitution, and the various State Conventions which adopted it, as far as we are informed of their proceedings [through Elliot's *Debates*], felt the deepest solicitude on this point. They saw and felt there would be an incessant conflict between them, unless properly guarded." And "no check more effectual can be found; or desired, than Nullification, or the right of arresting, within the limits of a State, the exercise, by the General Government, of any powers, but the delegated. . . ."49

It necessarily followed from this view of the Constitution and the Union that state interposition was a proper remedy. "The States then being parties to the constitutional compact, it follows of necessity, and in their sovereign capacity [within their reserved rights], that there can be no tribunal above their authority, to decide in the last resort whether the compact made by them be violated. . . ." In short, "where resort can be had to no tribunal, superior to the rights of the parties, the parties themselves must be the rightful judges in the last resort, whether the bargain has been pursued or violated." Indeed, Calhoun concluded, "to divide power and to give to one of the parties the exclusive right of judging. . . is in reality not to divide at all; and to reserve such exclusive right to the General Government. . . is to convert it in fact into a great consolidated Government with unlimited powers, and to divest the States in reality of all their rights."50

This right of state interposition, Calhoun added, was confined to a special case only, where a sectional majority had gained control of the government for the benefit of one special interest. It did not grant or give a state a blanket authority to disobey federal laws. Moreover, the action of a single state was necessary because the amendment process itself was blocked by a corrupt majority in Congress representing the manufacturing interest at the expense of the agricultural. What the Constitution had sought to avoid in fact had become a reality. (As George Mason had complained in 1787, the "plan of amending the Constitution [was] exceptionable & dangerous" since it depended too much on Congress. As a result, "no amendments of the proper kind would ever be obtained by the people" and the government would become oppressive!)51

In addition to arguing for the constitutionality of state interposition based on the reserved powers of the states, Calhoun reminded his readers that the nation was comprised not of one but of many different interests. These various economic interests had been provided protection from a mere numerical majority by being represented collectively in the states themselves through the Senate. Hence the requirement of two-third and three-fourth votes to approve certain legislation to to amend the Constitution.52

As Calhoun emphasized, too, state interposition was a conservative principle aimed at preserving the sacred division of powers in the Constitution itself. Nor was it revolutionary. Should interposition be overruled by the other states, South Carolina would acquiesce in that decision. "If a Convention of the States were called, and it should decide that that protective policy is constitutional, what then? Then give it up!"53

In retrospect, the Nullification controversy is significant not for Calhoun's political theorizing but rather for the great nationalist reaction that occurred and with it the denial of the republican principles upon which the government had been founded. Contrary to the historical record, it was now argued by Andrew Jackson, Daniel Webster, Justice Joseph Story, and others that (1) the government was national not federal, (2) the

union was perpetual since it was older than the states and the Constitution itself, (3) the Declaration of Independence was an act not of independent states but of the whole people en masse who represented the sovereign power in the America, and (4) the Constitution was not a voluntary compact but a binding contract (in the new entrepreneurial language of the 19th century). In sum, the U. S. formed one nation as well as one government. In the words of Daniel Webster, prefiguring those of Abraham Lincoln, "it [was]. . .the People's Constitution, the People's Government; made by the People; and answerable to the People. . . ." More to the point, Andrew Jackson declared that "It is a Government in which all the people are represented, which operates directly on the people individually, not upon the states. . . ." ⁵⁴

For the student of America's Middle Period, this great nationalist reaction is important for a number of reasons. In the first place, it represents the articulation of a new ideology that was alien to the world of 1776 and 1787 with its extreme individualism, materialism, nationalism, and majoritarianism. In the second place, behind the political-constitutional views of Andrew Jackson, Daniel Webster, Justice Joseph Story, and even James Madison, lay a new version of early American history that was created to justify coercion and the preservation of the union at all costs. In the third place, by equating state interposition with disunionism, nationalist opponents of that doctrine not only scared otherwise good republicans into joining their cause, but they also gave to American history a highly pejorative and negative term that obscures the real significance of 1828-1833. That we still use nullification rather than state interposition attests to the lingering confusion about what happened at that time. (Calhoun said that "Nullification is not my word. I never use it. I always say 'State Interposition.' My purpose is a suspensive veto. . . . I do not wish to destroy the Union. I only wish to make it honest!") ⁵⁵

Although the Nullifiers were nullified, at least temporarily, Calhoun and his supporters were nevertheless victorious in the end as witnessed by the counter-reaction to Jackson's extreme nationalism after 1832. Besides giving rise to the new Whig party of 1833 that was opposed to King Andrew and his coercive and corrupt policies (just like the Whigs of 1776 opposed King George III and for the same reasons), there also occurred a states' rights revival that brought the republic back to the principles of 1776 and 1787. Yes, the republic had been preserved. Far from being a failure, state interposition was in fact a victory for John C. Calhoun and his followers. In standing up alone to the twin threats of consolidation and corruption, he and his state not only awakened the people to the dangerous tendencies inherent in the political system, but they reminded Americans at large of the true nature of the federal government founded in 1787. Hereafter, the people would not take kindly to assaults on their liberty. ⁵⁶

To quote Calhoun, "the great difficulty [all along] in determining whether a State has the right to defend her reserved powers against the General Government, or, in fact, any right at all. . . is to bring the public mind to realize plain historical truth, connected with the origin and formation of the Government." While Calhoun found it hard to believe "that there should be the least uncertainty" about the Constitution and the intention of its framers, he was surprised nonetheless "judging by what is constantly heard and seen" that there were "few subjects on which the public mind [was] more confused." "Till they are fully understood," he confided to James Hamilton, Jr., "it is impossible that a correct and general view can be taken of the subject." ⁵⁷

Chapter One

The Union of the States, 1800-1861

The basic principles that would govern the Republic for the next sixty years were outlined by the new President in his first Inaugural Speech of March 4, 1801. In order of their appearance, if not importance, they were:

Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the State governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against anti-republican tendencies; the preservation of the General Government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad; a jealous care of the right of election by the people . . . ; absolute acquiescence in the decisions of the majority, the vital principle of republics, from which [there] is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia, our best reliance in peace and for the first moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burthened [sic]; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce, as its handmaid; the diffusion of information and arraignment of all abuses at the bar of public reason; [and] freedom of religion; freedom of the press, and freedom of person under the protection of the habeas corpus, and trial by juries impartially selected.

Here, “within the narrowest compass they will bear,” Jefferson believed, were not only the basic principles of the American political creed and “the text of [our] civic institutions,” but the very essentials of good government itself. All Americans had to do to enjoy “peace, liberty, and safety,” he added, was to abide by them and carry them out.¹ There was of course, nothing new or spectacular about these principles. After all, they were precisely the same ones that had governed the Republic from its founding in 1776. All Jefferson was doing in his inaugural speech was reiterating them and reminding Americans that they had served the Republic well in the past and would continue to do so in the future. As he stated, “these principles form the bright constellation which has gone before us and guided our steps through an age of revolution and reformation. The wisdom of our sages and blood of our heroes have been devoted to their attainment.” “Let us, then, with courage and confidence,” he added, “pursue our Federal and Republican principles, our attachment to union and representative government.”²

For the next sixty years Americans did just as they followed the advice of Thomas Jefferson and conducted their government along republican lines. In fact as well as

theory, the United States was a “Union of the States,” an agrarian federal republic, with power divided between the states and the national government. In sum, states’ rights were not diminished but demonstrated. Indeed, what Americans admired about their political system was its federal character and the fact that it kept within local hands the administration of local problems.³

In political terms, this meant, above all, preserving the Constitution of 1787 intact as the palladium of American liberty as well as respecting the rights of States. As the sacred charter of the liberties of the people and the states, their Magna Charta, the Constitution could not be violated. To do so would not only destroy the balance of power in America’s federal system but also open the door to tyranny and eventual loss of freedom. After all, explained John C. Calhoun, “the main object of [a constitution]. . . [was] to interpose efficient checks between the powers of the government and the rights of the governed, in order to prevent the former from oppressing the latter.” This was necessary, he added, because “the governments are actuated by a spirit of ambition and avarice!” the consequence of which was “the abuse of power. . . . It is this universal tendency to abuse [established by uniform experience], which renders a constitution necessary.”⁴

Concerning the rights of states, they too were to be respected. Not only were the states, as the government closest to the people, to be entrusted with the domestic affairs of the nation, but in America’s federal system they were the only effective checks upon the national government. As “the great. . . pillars on which this political fabric was to be extended and supported,” declared William R. Davie of North Carolina, the state Governments were “absolutely necessary to the existence of the federal government.” In Fisher Ames’ words, “the state governments represent the wishes and feelings and local interests of the people. They are the safeguards and ornament of the constitution.”⁵

Consistent with republican ideology, too, the operations of the Government were to be limited and restricted, both administratively and militarily. In practical terms, this meant a reduced federal establishment as well as a limited role for the national government in domestic affairs and concerns. As Americans had learned so well from their radical Whig-republican inheritance, energetic and expensive governments were threats to the liberties of the people as was a standing, professional army. For the same reasons, Americans also insisted upon financial solvency on the part of their governments. In a few words, no national debt. Government by debt, they knew, was a powerful tool of corruption and subversion. As James Monroe declared in 1802, “a strong military force, heavy taxes, and extensive patronage” were all means by which free government had been subverted.⁶

In economic terms, it meant no national debt, a low tariff (for revenue only), free trade and an emphasis upon agriculture. A low tariff was favored because it kept both taxes and federal receipts down, thereby fostering economy and avoiding extravagant expenditures. Moreover, a low tariff also agreed with Americans’ belief in free trade as opposed to mercantilism, the latter system being associated with the corrupt politics of Europe and its monarchies. Agriculture was favored not only because it was dominant in the occupations of Americans, but also because it provided the basis of America’s “Empire of Liberty,” the yeoman farmer.⁷

That Americans remained true to their republican inheritance can be seen, first of all, in their continued belief in the right of states and their view of the Union as a

voluntary compact between the states and the national government. Indeed, throughout the period 1800-1861 Americans normally and routinely referred to their government as a "Union of the States," a "federal Republic," or simply as a "Confederacy" meaning, of course, that it was federal in nature with power divided between its component parts, the states and the federal government. As Benjamin Huger declared in 1803, the Union was "in its essence, a compact, 'bargain, a perfect compromise of the interests, powers, influence, and rights of a number of independent societies, who have united for their common advantage.'"⁸

In the early history of the Republic, writes Paul Nagel, the Union itself was seen "to be plastic or perhaps even expendable." As they viewed it, Union was an experiment, a means to an end, not an end in itself. "Our system," stated Pierce Butler in 1788, "is little better than matter of experiment, and that much must depend on the morals and manners of the People at large." To William Pinkney, "the Union [was] a means not an end." In Justice Joseph Story's words, the Union was "the parental guardian of our public and private rights." It was "beloved, not for its power, but for its beneficence; not because it commands, but because it protects; not because it controls, because it sustains the common interests, and the common liberties, and the common rights of the people."⁹

This "idea of the Union as experiment," of course, was in keeping with Americans' belief in the contractual basis of government as a voluntary agreement between the people and their governors. It was also in keeping with their belief in the right of revolution (or secession) as a last resort when government no longer served the ends for which it was instituted. According to John C. Calhoun, "should the General Government and a State come into conflict, we have a higher remedy: the power [of the people] which called the General Government into existence, which gave it all its authority." In other words, "a State, acting in its sovereign capacity as one of the parties to the Constitutional compact, may compel the Government, created by that compact, to submit a question touching its infraction." "So essential is the principle," he wrote, "that, to withhold [it]. . . is . . . to annul the division [of powers] and to consolidate it," with the result that our government is no longer limited in nature but all powerful.¹⁰

"The very nature of the compact of government into which the United States entered," said R. M. T. Hunter of Virginia, "implies the right, I believe to secede from the Union which it formed, when the conditions and obligation upon which it was made have been violated and annulled." "Is not the great American principle that legitimate government rests on the will of the governed? Was not in behalf of the sacred right of self-government that we appealed to the world for sympathy and assistance in our struggle for independence?"¹¹

Further references to the nature of the Union as well as the rights of states can be found in the speeches and messages of the presidents during the period 1800-1860. In his first inaugural speech, for example, James Madison referred to "our republican institutions" by which America had enjoyed peace and prosperity both at home and abroad. Important in this respect, he noted, was America's system of government which fostered "a spirit of independence." To assure liberty and freedom in the future, he cautioned, Americans had "to hold [to] the union of the States as the basis of their peace and happiness." Indeed, "to support the Constitution, which is the cement of the Union, as well in its limitations as in its authorities [powers]" as well as to respect the rights and

authorities reserved to the States and to the people” were “essential to the success of the general system.”¹²

James Monroe, successor to Madison, expressed similar sentiments during his term in office. In his 8th annual message to Congress, Monroe remarked that the people were devoted “to our happy system of government” and cherished “the bond of union with fraternal affection.” They did so, he added, because it was “a happy distribution of power between the National and State governments.” “It is of the highest importance,” he added, “that they [the state and national governments] severally keep within the limits prescribed to them.” This was necessary, he stated in another message to Congress, because of “the impracticability of one consolidated government for this great and growing nation.” Not only was such a government “incapable of exercising local authority” but it was to be defended as well. Only “by extending our Government on the Principles of our Constitution and the vast territory within our limits [could] new life and vigor (be) infused into every part of our system.” Moreover, only “by increasing the number of States [could] the confidence of the State governments in their own security (be) increased and this jealousy of the National Government proportionately diminished.”¹³

Other Presidents during the years 1800-1861 likewise referred to America’s federal system and supported the rights of states. Andrew Jackson, long upheld as a symbol of national authority, at least respected states’ rights. As he wrote in 1829, “a just respect for state rights and the maintenance of state sovereignty [are] the best checks on the tendencies to consolidation.” “For the rights of states,” Jackson told Robert Y. Hayne, “no man has a higher regard and respect than myself, none would go farther to maintain them: It is only by maintaining them faithfully that the Union can be preserved.” As he added, “the sages who formed the constitution viewed it as a government of experiment and granted all powers thought necessary for national purposes.” “The objects intended by the confederation of the states in framing the Constitution, and the people who ratified it, were to give to Congress the power of Legislation over all exterior and interior political matters [and] reserving to the states exclusively the sovereign powers of regulating all their local concerns.”¹⁴

Martin Van Buren, the first president born after the American Revolution, likewise paid tribute to America’s federal system and the rights of states. Speaking in 1838, he observed that “the present year closes the first half century of our Federal institutions” and “the Constitution devised by our forefathers as the framework of that system, then untried, has become a settled form of government; not only preserving and protecting the great principles upon which it was founded, but wonderfully promoting individual happiness and private interests.” Two years later, on the eve of his departure from the White House, he commented that it had been his constant aim to abstain “from the exercise of all doubtful powers on the part of the Federal Government & to confine [himself] within the limits so clearly marked out and so carefully guarded [in the Constitution].”¹⁵

Agreeing with Van Buren, were William Henry Harrison, John Tyler, and James Knox Polk. Referring to “Our Confederacy,” President Harrison said that it could only be maintained by respecting the rights of each of its members and keeping within the bounds prescribed by the Constitution. “Our Confederacy,” he remarked, “is perfectly illustrated by the terms and principles governing a common co-partnership.” Under it, “there is a

fund of power to be exercised under the direction of the joint councils of the allied members, but that which has been reserved by the individual members is intangible by the common Government or the individual members composing it. To attempt it finds no support in the principles of our Constitution.”¹⁶

“The Government of the United States, stated President Polk in 1845, “is one of delegated and limited powers.” Moreover, “each State is a complete sovereignty within its sphere of reserved powers.” Although the general government “wields a few general enumerated powers,” it does not, he emphasized, “force reform on the States. It leaves individuals, over whom it casts its protecting influence, entirely free to improve their own condition by the legitimate exercise of all their mental and physical powers.” Only “by a strict adherence to the clearly granted powers and by abstaining from the exercise of doubtful or unauthorized implied powers,” he added, do “we have the only sure guaranty against the recurrence of those unfortunate collisions between the Federal and State authorities which have occasionally so much disturbed the harmony of our system and even threatened the perpetuity of our glorious Union.”¹⁷

Using almost identical language, Millard Fillmore also described the government of the United States as “a limited government.” It was, as he noted, a federal system of two governments “each revolving in its own sphere” and with power divided between them. “Over the objects and subjects intrusted [sic] to Congress its legislative authority is supreme.” But there, he added, its authority ceased, being “confined to the exercise of powers expressly granted and such others as may be necessary for carrying those powers into effect.” To go beyond that point, he added, was to infringe upon the just rights of the States. Indeed, “every citizen who truly loves the Constitution and desires the continuance of its existence and blessings will resolutely and firmly resist any interference in those domestic affairs which the Constitution has clearly and unequivocally left to the exclusive authority of the States.”¹⁸

The federal nature of the Union as well as the rights of states were also upheld by Franklin Pierce and James Buchanan. “Our government,” Pierce declared in 1853, “exists under a written compact between the sovereign States, uniting for specific objects and with specific grants [of power] to the general agent [the federal government].” According to the terms of this compact, “the Federal Government has its appropriate line of action in the specific and limited powers conferred upon it by the Constitution . . . while the great mass of interests which belong to cultivated men—the ordinary business of life, the springs of industry, all the diversified personal and domestic affairs of society—rest securely upon the general reserved rights of the several States.” In fact, Buchanan commented in 1860, “the distinctive spirit and character” of the Constitution is that “the powers of the General Government are confined chiefly to our intercourse with foreign nations, to questions of peace and war, and to subjects of common interest to all the States, carefully leaving the internal and domestic concerns of each individual State to be controlled by its own people and legislature.”¹⁹

In Pierce’s opinion, moreover, it was “upon a proper distribution of power between the State and Federal authorities that the harmony and happiness of our people must depend.” “Vast as are the functions and duties of the Federal Government . . . yet the real substantive power, the popular force, and the large capacities for social and material development exist in the respective States, which, all being of themselves well-constituted republics are capable of maintaining and perpetuating the American Union.”

Indeed, he added, “there [in the States] is the effective democracy of the nation, and there the vital essence of its being and greatness.”²⁰

As far as the principles which would guide his administration, Pierce said he would rely upon “the principles of public polity affirmed by our fathers of the epoch of 1798,” principles which had been “sanctioned by long experience, and consecrated anew by the overwhelming voice of the people of the United States.” As he interpreted them, this meant (1) “a spirit of strict deference to the sovereign rights and dignity of every State, rather than a disposition to subordinate the States into a provincial relation to the central authority.” It also meant (2) a wise economy” (but not parsimony); (3) a “single regard for the public good,” and (4) a “sound fiscal administration” which guards against “the dangerous temptations” to extravagance. In sum, he would offer “the minimum of Federal government compatible with the maintenance of national unity and efficient action in our relations with the rest of the world. . .”²¹

By the same token, James Buchanan could say on the eve of the Civil War, that “the Federal Constitution is a grant from the States to Congress of certain specific powers.” Moreover, he added, “long experience and observation have convinced me that a strict construction of the powers of Government is the only true, as well as the only safe, theory of the Constitution.” In the past, he noted further, “whenever. . .doubtful powers have been exercised by Congress, these have never failed to produce injurious and unhappy consequences.” For his part, he concluded, he would do his best to maintain the constitution and the Union, “the most perfect form of government and union ever devised by man.”²²

Similar views about the rights of states as well as the Union of the States can be found in the speeches and writings of other prominent political leaders of the day, North and South. One of the ablest and most conspicuous of these was John C. Calhoun, an acknowledged expert on the Constitution and one of America’s greatest political scientists and political economists. As he never tired of reminding his fellow citizens, “ours is a democratic, federal republic,” “a Union of sovereign states, under a compact which delegated certain powers to the General Government, and reserved all else to the States respectively or to the people.” Its “great and leading principle is,” he added, “that the General Government emanated from the people of the several States, forming distinct political communities, and acting in their separate and sovereign capacity, and not from all of the people forming one aggregate political community.”²³

It was, as he described it in “A Discourse on the Constitution and Government of the United States,” a system of governments, compounded of the separate Governments of the several States composing the Union and of one common government of all of its members, called the Government of the United States.” Under this arrangement, moreover,

The entire powers of government are divided between the two, those of a more general character being specifically delegated to the United States, and all others not delegated being reserved to the several states in their separate character. Each, within its appropriate sphere, possesses all the attributes and performs all the functions of government. Neither is perfect without the other. The two combined form one entire and perfect government.²⁴

Not only was power divided between the states and the national government (federalism), but it was also divided between the various departments of government---executive, legislative, and judicial (the separation of powers). This “division of power into two parts, with distinct and independent governments, regularly organized into departments, legislative, executive, and judicial. . .constitutes the great, striking and peculiar character of our system.” Indeed, he emphasized, “the very essence of liberty [is] that. . .power should be divided, distributed, and organized, that one interest may check the other.” This truth, he continued, “was fully understood at the time of the formation of this constitution.” Without this division of power, moreover, government in America would no longer be limited and free. Rather it would be unlimited, all powerful, and tyrannical.”²⁵

Other Southerners expressed similar Whig-republican-federal beliefs. Robert Barnwell Rhett of South Carolina, in resolutions presented at a Democratic caucus in 1838, announced that “ours is a government of limited powers.” In Jefferson Davis’ opinion, “one of the fruitful sources . . . of the errors which prevail in our country, is the theory that this is a Government of one people; that the Government of the United States was formed by a mass.” Yet, he added, “the Government of the United States is a compact between the members who formed it.” “Ours is a republic,” declared Alexander H. Stephens. In its operation, each state “has the absolute right to regulate all her internal affairs.” “This,” he observed further, “is the great novelty of our peculiar system” [i.e., the union of several distinct, independent communities into one political system with powers divided between them.] Indeed, stated Jefferson Davis in 1858, “the power of each people to rule over their domestic affairs lies at the foundation of [the] Declaration of Independence. . . It is that which constitutes today the doctrine of states’ rights.”²⁶

Agreeing with Rhett, Stephens, and Davis were Robert M. T. Hunter and Judge Peter V. Daniel of Virginia. “As I understand it,” Hunter wrote to James R. Micou in 1860, “the Union, as it was adopted and formed by the fathers, and the Constitution. Are one and the same. To sustain one you must maintain the other.” In his opinion, “the Constitution [had] two great purposes in view—one to create the machinery of a common government, the other to prescribe the conditions and limitations under which it was to operate, and the ends and purposes of its action.” Likewise with Judge Peter V. Daniel who also regarded the Constitution as a compact between the states and the national government. Under this federal system of government, he believed, the national government had very limited and specific powers as prescribed in the Constitution itself. If anyone doubted that this was the true nature of the Constitution and the Union, he added, all they had to do was read the text of the Virginia-Kentucky Resolutions which he considered as the “best commentary upon the Constitution and the ablest defense of our reserved rights.”²⁷

On a more popular level, belief in the rights of states as well as the Union of the States can also be found in Southern journals and newspapers of the period. As the *Southern Review* declared in 1828, “at the formation of the Constitution, all power existed in the several States. No right belonged to the Federal Government but by a special grant.” As such, “it possessed no prescriptive claims, no ancient privileges, no inherent authority.” Moreover, “the Constitution itself is a grant of special powers to accomplish certain objects, a trust to special agents appointed in a specified manner.” Finally, it is a “duty to guard carefully the limits which have been prescribed to their

powers . . . and in all cases of doubt and hesitation, it would be the part of wise and prudent statesmen to limit, rather than extend authority, as history teaches that free governments have always been destroyed by the assumption and usurpation of power on the part of their rulers.”²⁸

Twelve years later, the *Southern Quarterly Review* was saying the very same thing. One of the cardinal virtues of our political system it declared was “the inherent and inalienable power, of modifying. . . government” based on the idea “that the people are competent to form and reform their constitutions.” “This Union,” it stated further, “must be found in the sentiment, that every State has the supreme and paramount claim on its citizens.”²⁹

One of the prime expositors of states’ rights and republicanism in the South was Augustus B. Longstreet of Augusta, Georgia, editor of the Augusta, Georgia, *States’ Rights Sentinel* and author of *Georgia Scenes, Incidents, & c. in the First Half Century of the Republic by a Native Georgian*. “A passionate advocate of states’ rights,” Longstreet insisted that the political faith of the Founding Fathers be maintained. It was for that very reason that he began publishing the *States’ Rights Sentinel*, to counteract as well as to remind Georgians in particular and Americans in general of the original beliefs of the Republic. As he complained in 1835, “Why is it, while we see and feel and acknowledge the importance of State Rights, we do not pay a higher regard for State Rights men!”³⁰

We [the States Rights men] admit,” he wrote in the aftermath of the Nullification controversy, “that the General Government hath powers, and that these powers, properly exercised, the States are bound to submit.” Yet, unlike the Union party, who yield to the General Government the power of judging what the States have given, and what reserved,” we say that the States themselves “have not only the right to exercise their constitutional powers, but to judge of the extent of these powers—that all powers of the General Government hath was a gratuity from the States—that they reserved what they did not give up.” As Jefferson observed, “that [yielding to the national government of the right to Judge) is virtually yielding every thing, for what does it signify to talk of giving and reserving if you cut off at , a blow, the head and hand of the giver and preserver?”³¹

Longstreet’s states’ rights-republican views were also expressed in his literary works. In *Georgia Scenes*, for example, Longstreet, referring to his native town of Augusta, Georgia, describes a gander-pulling contest between Augusta and Springfield on the one side and Harrisburg and Campbellton on the other. In the contest, he wrote, “Harrisburg sided with Campbellton, not because she had any interest in seeing the business of the two states [Georgia, South Carolina] centre on the bank of the [Savannah] River nearly opposite her, but because like the ‘Union Democratic Republican Party of Georgia,’ she thought, after the adoption of the Federal Constitution, that the several towns of the Confederacy should no longer be separated by the distinction of local party.” To the contrary, Harrisburg sided with Campbellton because she felt that “they should become united in a single body for the maintenance of these principles which they deemed essential to the public Welfare.”³²

“Springfield, on the other hand, expressed the State Rights’ creed. She admitted that, under the Federal Compact, she ought to love the sister states very much; but that under the Social Compact, she ought to love her own state a little more.” Moreover, “she [also] thought the two compacts perfectly reconcilable to each other.” Thus, “instead of

the towns of the several states getting into single bodies to preserve the public welfare, her doctrine was, that they should be kept in separate bodies to preserve their private welfare.” Indeed, “she admitted frankly, that . . . she was wholly incapable of comprehending that expansive kind of benevolence, which taught her to love people whom she knew nothing about, as much as her next-door neighbors and friends. . . . Until, therefore, she would learn it from the practical operation of the Federal Compact, she would stick to the old-fashioned Scotch love. . . and ‘go in’ for Augusta, live or die, hit or miss, right or wrong.”³³

While Southerners were the most conspicuous republicans in defending the rights of states as well as the Union of the States, there were also many Northerners who shared the same views about the Constitution and the nature of the Union. One of these was Marcus Morton of Massachusetts. Writing to John C. Calhoun concerning the election of 1828, he stated that “it is important to the Republicans of this State and of New England to be assured of the policy to be pursued by the President-elect [Andrew Jackson]. The support here given to the successful Candidates come exclusively from the old and tried Republicans.¹¹ In the same letter, he wrote that “the Republicans of N[ew] England have supported the successfull [sic] Candidates because they believed them to be the Democratic Candidates and they are now preparing to rally around the old Republican standard and to bear it to the support of the new Administration so far as it may be conducted on democratic ground.”³⁴

Other “Northern men of Southern principle” can be found in *The Correspondence to John C. Calhoun* which contains letters from over 300 individuals, many of them in the North. Writing to Calhoun in 1845, for example, some citizens of St. Louis expressed their indebtedness to him and his “untiring zeal in behalf of the producing and agricultural states of the Union, as manifested by [his] exertions to bring back the Federal Government to the true principles of taxation, and thus relieving the South and the West of the burthens [sic] unconstitutionally imposed on them for the peculiar benefit of Northern and Eastern capitalists.” As far as they were concerned, Calhoun was “the Champion of the State Rights principles and party, and the unflinching opponent of consolidation in all its schemes.”³⁵

C. A. Clinton, son of DeWitt Clinton of New York, told Calhoun in 1846 that “your views and policy are sound, orthodox, and wise.” Moreover, he added, “you [Calhoun] have truly indicated the true secret success in the great progress now making in giving free Republican government to all Northern America. In conclusion, he wrote that your cause was approved by “all intelligent and reflecting men in this City.” To Francis Wharton of Philadelphia, Calhoun was “the acknowledged head of the State-rights party.”³⁶

Still another “Northern man of Southern principles” was Alexander F. Long of Cincinnati, Ohio. Born in Mercer County, Pennsylvania, in 1817, Long at the age of twenty- one moved to Hamilton County, Ohio. Following two years schooling at a local academy, Long taught in the rural schools in Hamilton County from 1840-1848. During that time, however, he also studied law, passing the bar exam in 1845. In 1849-1850, Long served in the state house of representatives as a free-soil Democrat. After 1850, Long moved to Cincinnati where he opened a lucrative law practice.³⁷

A life-long Democrat, Long had “full confidence and abiding faith, in the principles and policy of [that] . . . party.” In his opinion, it was “a party of progress,

and of equal and exact justice to all classes in society and all sections of the Union.” “I have,” he wrote in his autobiography, “[ever] acted with the party, supported its measures, and advocated the election of its candidates to office, because my judgement [sic] approved of its principles ‘ and [because of] my desire to see those principles in the ascendent.”³⁸

As far as his attachment to the rights of States and the Union of the States, that can also be seen in his later opposition to the Civil War. Elected as Congressman in 1862 as an anti-war Democrat, Long criticized Lincoln’s “prosecution of the war against a sovereign State under the Constitution” as well as his emancipation proposal and the suppression of civil liberties. Believing in the Union as a compact and that it could be dissolved voluntarily, he stood ready to acknowledge the independence of the South rather than have it subjugated by the North. Also, at the 1864 National Democratic Convention, Long proposed that the first Kentucky Resolution of 1798 be adopted.³⁹

Northern adherence to the Democratic party and the principles of republicanism is further illustrated by the political views of Stephen A. Douglas. Throughout his political career, Douglas maintained the faith of the Fathers both in regard to the Constitution and the Union. Like them, he viewed America’s political system as being federal in nature. Like them, too, he believed in local rule and the right of self-government. Concerning the territorial question, for example, Douglas said that “it was clear in his mind that whenever a new State was admitted into the Union, it came in on equal footing, in all respects, with the original States; and all attempts to deprive her of that equality. . . was in derogation of the Constitution. . . and consequently void.” Concerning the slavery issue, he stated that it was a jurisdictional and a constitutional question. “I am not pro-slavery. I think it is a curse beyond computation. But we exist as a nation by virtue only of the Constitution, and under it there is no way to abolish it.”⁴⁰

Still another “Northern man of Southern principle” was R. P. Stockton (1795-1866) of New Jersey, a Commodore in the Navy and later U. S. Senator. As he wrote to John A. Whetstone and others in 1852, I instinctively consider the reserved rights of the States to be the palladium of the liberties of the whole people—and that a rigid construction of the Constitution is the only guarantee for the perpetuity of the Union. While the reserved rights of the States and the Constitution are secured against infringement, the republic is safe, but no longer. Referring to the political crisis of the 1850’s, he stated that the South demands that the Constitution should be adhered to strictly in spirit and letter, and that the government should be brought back to the frugality and simplicity which distinguished the administrations of Washington and Jefferson. Should these principles be lost sight of, at this critical period, the government will continue its career of boundless expenditure and loose construction, until we find ourselves oppressed with a mountain of debt, and struggling vainly against the usurpation of a majority controlling a government in the exercise of unlimited powers.⁴¹

The above mentioned examples of “Northern men of Southern principle” represent only the tip of an iceberg. Hundreds more could be cited to show the pervasiveness of republicanism and states’ rights throughout the United States. For the most part, however, historians have denied that these “Copperheads” or “Doughfaces” stood on principle. In their view, these “Northern men of Southern principle” were conspirators against liberty and democracy, part of a “Fifth Column” that would destroy the Union. Yet, as Frank L. Klement and others have labored to demonstrate, their

devotion to the rights of states and their view of the Union as a compact was real. Marylanders, writes William C. Wright, “believed that states had rights and powers equal or perhaps superior to those of the federal government. The idea that the federal government had the right to maintain the Union by military force, they regarded as entirely wrong.”⁴²

As this brief survey of antebellum American political thought demonstrates, these beliefs in states’ rights and republicanism were by no means a Southern or sectional phenomenon. Rather it was national in scope as Americans, North and South, believed in and abided by republican principles of government and politics. Indeed, it would not be incorrect to say that throughout the period 1800-1860, the nation was governed by a coalition of Southern planters and plain republicans of the North working through the Democratic Party. Consider, for example, the geographical distribution of the Democratic presidents for that period. While Jefferson, Madison, Monroe, Jackson, and Tyler were Southerners (from the states of Virginia and Tennessee), Van Buren, Fillmore, Pierce, and Buchanan were Northerners (from the states of New York, New Hampshire, and Pennsylvania).⁴³

In this sense, the Democratic Party itself was a symbol of republican ideology and its continued vitality in American life after 1800. As Jefferson Davis expressed it in 1848 and again in 1858, “this is the party of strict construction, of checks and balances, and constitutional restraints.” “Democracy,” he later stated, “was State rights and-State Rights was Democracy.” In the words, of Alexander H. Long, the Democratic Party was “a party of principle.” In fact, he wrote, “Democratic measures and Democratic men have made the government what it is.” Not only that, it had “administered the general gov[er]nm[ent] three fourths of the time since the formation of the union.”⁴⁴

In expressing these views about the rights of states and the federal nature of the Union, antebellum American political leaders, North and South, were not putting forth any new ideas about government in America. If any thing, they were only reiterating the facts of the matter and what they knew was true history of the formation of the Union. And what that history demonstrated, and what they themselves had been taught and instructed, was that the government created in 1787 was federal in nature, not national. It was, in fact, a confederacy, a federated league of sovereign states.⁴⁵

Not only were the states sovereign in their own right but they predated the Union itself. Indeed, the states created the Union. Although the colonies were originally under the jurisdiction of Great Britain, they became free and independent states when the political ties that bound them were sundered. As the Declaration of Independence declared in 1776, “these United Colonies are, and of right ought to be free, sovereign, and independent states.” In that capacity, they then agreed by compact to form a union (styled the Articles of Confederation) for their own peace, safety, and happiness. When that proved inadequate, they formed a new frame of government under the Constitution of 1787. On both occasions, however, the states, as original parties to the compact, retained their essential sovereignty by reserving to themselves the powers not granted to the general government.⁴⁶

That the government created in 1787 was federal in nature and not national could also be seen in the terminology used to describe the new government political system. “It seems to be forgotten,” wrote John C. Calhoun, “that the term [national] was repudiated by the Convention after full consideration, and that it was carefully excluded from the

Constitution and the letter laying it before the Convention.” In its place, the expression “United States” was used to describe the government, by which term it was meant “the States united in a federal union,” not a national government.”⁴⁷ (As usual Calhoun was correct. See the *Notes of Debates* of James Madison about a federal versus a national government.)

The federal nature of the Constitution and the Union was also evident in the defeat of the Federalists who wanted to create a much stronger government in America. In fact, Calhoun observed, there was at the beginning of the convention of 1787 a majority in favor of a national government. Thanks largely to the opposition mainly of Connecticut and New Jersey, however, the national-minded Federalists were defeated and a federal plan of government was adopted instead. “So completely did the National party succumb, that. . .the word ‘National’ was not named.” In the end, the “Nationalists,” under the name of ‘Federal’ . . .recommended. . .the constitution to the adoption of the people. . .conclusively proving that the scheme of a national government first proposed had been overruled, and a federal Government adopted in its place.”⁴⁸

This view of the Union was also consistent with the origins and nature of the Revolution itself. As antebellum Americans recognized, the American Revolution (or War for Independence) was not begun because the colonists wanted to be free and independent. Rather it was undertaken in defense of ancient liberties denied them by the British government who wanted to bind them in all cases whatsoever. Only after all efforts at conciliation had failed did the colonists declare their independence. To quote Robert J. Turnbull of South Carolina, “the usurpations and tyranny of Great Britain were not resisted, that the Colonies might be united; but that the Colonies might be Free.” Besides, having experienced the tyranny of George III, the Americans were not about to create a strong national government. Indeed, the Revolution itself as already noted was a reaction to the growing power of the British Empire.⁴⁹

Suffice it to say that in the South, as well as in the North, belief in the Union of the States and the rights of the States was a matter of habit. As Henry Adams wrote in his biography of John Randolph of Roanoke in 1882, “for a generation like our own, in whose ears the term of states’ rights has become hateful. . .these narrow and jealous prejudices of Randolph and his friends sound like systematized treason.” Yet, he commented, “they were the honest convictions of that generation which framed and adopted our Constitution.” Indeed, to the men of that day and to the great majority of Americans, “they were the essence of republican politics.” And so they were.⁵⁰

Political views aside, however, the best evidence of American’s continued attachment to states’ rights and republicanism can be seen in the actual operation of the government over the period 1800-1860 and the fact that it was administered along republican lines. In general terms, this meant a limited national Government and strict government economy. In more specific terms, it meant a small federal establishment, both administratively and militarily, a reduced national debt, a low tariff, free trade, an emphasis upon agriculture, and a restricted role for the federal government in domestic affairs.⁵¹

With respect to the federal establishment, for example, the number of employees was kept to a minimum. Jefferson himself, wielding “his shears in the spirit of a gardener, pruning shrubs of their excess foliage,” began the process of cutting the roll of federal officials. During his first term in office, Jefferson reduced the number of foreign

missions to three and discontinued inspectors of internal revenues. "We are," he wrote to his son-in-law, "hunting out and abolishing multitudes of useless offices, striking off jobs, etc., etc. Never were such scenes of favoritism, dissipation of treasure, and disregard of legal appropriations seen." Commenting on his success in pruning the federal establishment, Jefferson, in his second inaugural address, asked "what farmer, what mechanic, what laborer ever sees a taxgatherer [sic] of the United States?"⁵²

For the next half-century, successive Presidents tried to do the same, although with the growth of the country and the advent of the "Second Party System" in the 1830's with its "log-rolling" techniques, it became increasingly difficult to do so. Estimates of the total number of government employees in 1861 vary. According to one source, the number was 40,651. Another source gives an estimate of 36,672. Many of these, however, were employed in the Post Office and its far-flung outposts and the Customs Office.⁵³

As for the military, the size of the army and navy were also kept at a minimum. Setting the trend again was Jefferson, who, in his first-term in office, reduced the personnel of the armed forces as well as their budgets. In 1802, the military budget was only \$1,900,000, half of what the Federalists appropriated in 1801. As for the size of the army, that was set at 3,350. The navy, which received \$3,500,000 in 1801 under the Federalists, only got \$1,000,000 in 1802. By the Naval Act of 1801, Jefferson also trimmed the number of captains from the roll of officers by nineteen, from thirty-four to fifteen. Later, the number of captains was further reduced to nine. With respect to naval vessels, only three frigates were kept in service although the law provided for six.⁵⁴

For the next half-century, the story was the same: a small defense establishment and a limited military budget. Over that period, writes Marcus Cunliffe, "American military attitudes did not change. A regular army continued to be regarded as a doubtful necessity. The regular soldier was still thought of as an idle and possibly sinister figure, not fully 'American'." As Jefferson David noted in 1858, "the theory of our peace establishment, from the formation of the Government, has been to maintain a small army, sufficient for the exigencies which would exist in time of peace, and capable of expansion to war necessities when war should arise."⁵⁵

The defense establishment itself consisted of a small army and navy. At the end of the War of 1812, for example, the strength of the army was set at 10,000, a figure that was reduced to 6,000 (eleven regiments) in the 1820's. By 1860, however, owing to Indian problems, the Mexican War, and the Mormons, the size of the regular army increased to 16,367 officers and men. Nevertheless, compared to, say, England, America still had a small defense establishment.⁵⁶

Despite the existence of a regular army, it was still the state militia that formed the backbone of the defense establishment. "The bulwark of our defense," declared Andrew Jackson in 1829, "is the National militia." Although a small regular army was necessary to protect America from attack, "it ought to be held prominently in view," stated James Monroe in 1817, "that the safety of these States and of everything dear to a free people must depend in an eminent degree on the militia."⁵⁷

The reasoning behind this reliance on the militia, of course, was still a lingering suspicion of standing armies. As Andrew Jackson stated in 1829, "standing armies [are] dangerous to free governments in time of peace." For the same reason, efforts to organize the state militia and make it an effective force failed. To federalize them, it was argued,

would in fact make them a standing army. It would also endanger the rights of states since the militias were under direct control of the various states.⁵⁸

Throughout the period, too, government borrowing was limited to the extent that the national debt was paid off by 1836. In that year a \$20,000,000 surplus was recorded. Considering that the total debt of the United States was \$83,000,000 in 1801, and that the War of 1812 added \$120,000,000 more, this was quite an achievement. It was accomplished by a strict program of government economy and reduced expenditures aided by increases in revenue from the tariff. Again, retrenchment was begun by Jefferson who paid one-third of the national debt, reducing it from \$83,000,000 to \$57,000,000. Of the \$120,000,000 in debt caused by the War of 1812, \$67,000,000 was paid by 1820. After 1836, the national debt of the United States fluctuated with deficits for the years 1837-38, 1840-43, 1847-1849, and 1857-1860 and surpluses for the years 1825-1836 and 1850-1857.⁵⁹

As in the case of standing armies, debt was also anathema to Americans. In the words of Andrew Jackson, "national debt [was] incompatible with real independence." "A profuse expenditure of money by the Government," he warned, "is but too apt to engender [public and private profligacy]." "Our own experience," added Martin Van Buren, "and also that of other nations have demonstrated the unavoidable and fearful rapidity with which a public debt is increased when the Government has once surrendered itself to the ruinous practice of supplying its supposed necessities by new loans." "Experience has taught us," cautioned James K. Polk "how unnecessary they [national banks and other extraneous institutions are as auxiliaries of the public authorities—how impotent for good and how powerful for mischief."⁶⁰

The remedy, quite naturally, was economy. "Economy," John C. Calhoun wrote to Samuel D. Ingham, "is a high political virtue and must always be popular with the people of this country." "Severe economy is necessary," spoke Martin Van Buren. "This is the surest provision for the national welfare, and it is at the same time the best preservative of the principles on which our institutions rest." Indeed, he argued, "simplicity and economy in the affairs of state have never failed to chasten and invigorate republican principles." "To keep . . . expenditures within reasonable bounds," he commented in 1839, "is a duty second only in importance to the preservation of our national character and the protection of our citizens in their civil and political rights."⁶¹

At the same time, the activities of the federal government were limited. The most notable instance of this was in the area of internal improvements. Despite attempts at national planning for a comprehensive system of internal improvements, the federal government consistently refused to take control of and underwrite the costs of a national system of internal improvements as seen in the vetoes of internal improvements bills by James Madison, James Monroe, and Andrew Jackson. As they agreed, it was not the prerogative of the federal government to sponsor such projects. Furthermore, there was no sanction in the Constitution to authorize them. Besides, they (and others) argued, for the federal government to undertake internal improvements was an infringement on the rights of states. In their opinion the proper sphere for internal improvements was the states themselves who better knew their needs and who could also better manage and direct their own local projects.⁶²

The one exception to this general rule concerned the construction of military and postal roads which served national defense and had a national purpose. In these cases, the

federal government did in fact underwrite internal improvements. Over the period 1800-1861, for example, government spending on internal improvements comprised the third largest category of government spending, roughly ten per cent of total expenditures. Leading the way, of course were expenditures on national defense, about forty per cent, and administration, about fifty per cent. The prime example in this regard was the National Road, built in 1816, from Baltimore, Maryland to Wheeling, West Virginia [Virginia] and finally to Ohio.⁶³

In other words, there was no blanket negative on internal improvements, only on those by the national government and not related to national defense. In James Monroe's words, "the improvement of our country by roads and canals, proceeding always with a constitutional sanction," held a distinguished place among the important political subjects of the day. Internal improvements, he added, would help bind the Republic together as well as facilitate communication and transportation through out the country. For this very reason, the states themselves, not the federal government, undertook most of the internal improvement projects during the period 1800-1861. According to J. R. T. Hughes and Nathan Rosenberg, "expenditures [on roads and canals by the federal government] were small by comparison with expenditures for similar purposes by state-governments." Indeed, in the nineteenth century, write Lance Davis and John Lealer, "the fiscal activities of states were about as important as those of the federal government." Moreover, taken as a whole, "local units were without question the most important of the three levels of government."⁶⁴

The operative assumptions governing internal improvements, i. e., what could be done as well as what could not be done, are illustrated in the following remarks of Jefferson Davis on the Louisville and Portland Canal and on the Pacific Railway Bill. On the first bill, to remit the tolls on the Louisville and Portland canal and make navigation free, Davis said that he objected to the bill "upon the ground that [he] could see no great difference between that proposition and a proposition to construct a canal within the limits of a State." Another objection was the fact that "the proceeds which were said to accrue to the United States [he] found were invested in stock in the canal." Using this reasoning, he observed, "if the United States can buy a canal they can certainly build one. Then., with more zeal than now, it might be argued that the canal is insufficient for the commerce of the river." At that point, he added, "the Government would be called upon to widen the canal, to increase the size of the locks, to deepen it, and [do] other things desirable." In the end, "it would devolve upon the Government to keep an establishment of officers within. . . Kentucky and keep the canal in repair." As he put it, the canal "should belong to that State."⁶⁵

The Pacific Railroad was another matter altogether and a project which Davis supported. Although a strict constructionist and preferring that the states should sponsor internal improvement projects, he nevertheless sanctioned the idea of a railroad to the Pacific. As he put it, the Pacific railway was an exception in that it involved National defense. "If. . . as a purely military question, it would become necessary to have. . . intercommunication, so that the government's munitions of war and men could be thrown upon the Pacific for its defense, the application of the war power of the government to this case would be within the strict limits of the constitution."⁶⁶

"For myself," stated another proponent of the Pacific railroad, "I can see nothing in the scheme and views of Col. Davis which are new or startling in their character, and

nothing which should cause doubt or hesitancy in the mind of the straightest-laced republican in the Union.” Indeed, he remarked further, “Col. Davis has broached no new principle; he proposes to ingraft [sic] no new feature into the democratic creed; he offers no innovation upon its established principles and policy.” In fact, Davis’ leadership in support of this bill was itself “sufficient evidence to satisfy the most scrupulous partisan that he can follow with entire consistency and the strictest regard for the constitution.”⁶⁷

As to the principles and policy of the Democratic party, he stated, it “has uniformly been opposed to a general system of internal improvement as advocated by the federal whig party for the last half century.” They [the Democrats] have opposed all innovation upon the rights of the States and the duty of the States in reference to their internal affairs, believing that they alone are fully competent to any work called for, by their interest on the necessities of the times. They have denied to the federal government the power claimed for it by the Whig party to construct roads and canals in any and all parts of the country merely upon the pretext of ‘regulating trade,’ ‘facilitating commerce,’ and providing for the ‘general welfare’—a claim of power which would embrace every-thing within the discretion of the country, and destroy the sovereignty and individuality of the States. But it was not true, “as maintained by the whig party, that the democratic party ever opposed the construction of military roads, or anything else necessary and proper for the defense of the country.”⁶⁸

Herein, he concluded, lay “the radical difference between the two parties upon all questions of federal power and especially that of internal improvement.” Taking as its guide “the uncontrolled will of Congress,” the Whig Party “has always been [led] by considerations of necessity. On the other hand, the Democratic Party “has always recognized the constitution as the governing law.” As Jefferson Davis reminded his colleagues in 1851, “We are not here to remould [sic] or to alter the Constitution, but are and should be engaged in guarding and executing its written provisions.” “If there be any thing more indisputable in our Government than all else, it is that it rests for all its power upon a written Constitution—a charter of grants, limitations, and prohibitions.”⁶⁹

In other areas, too, Government activity was restricted. Although a national bank, the Bank of the United States, had been chartered in 1791 and again in 1816, the nation returned to a more decentralized banking system after 1836 with the substitution of the Independent Treasury System. The purpose behind this move was “to place the General Government, in regard to the essential points of the collection, safe-keeping, and transfer of the public money, in a situation which shall relieve it from all dependence on the Will of irresponsible individuals or corporations.” By doing this, Van Buren observed, by confiding such funds “to agents constitutionally selected and controlled by law,” stability would be given to the concerns of the Treasury and to the money supply.⁷⁰

Again, as in the case of internal improvements, the opposition was not to banking, but to the idea of a partnership between banks and the federal government. “In a country so commercial as ours,” Van Buren declared, “banks in some form will probably always exist, but this serves only to render it the more incumbent on us . . . to strive in our respective stations to mitigate the evils they produce.” As to their regulation and control, that “belongs, from the nature of our Government, to the States, which authorize them.” “No good that might accrue in a particular case from the exercise of powers not obviously conferred on the General Government would authorize its interference or

justify a cause that might in the slightest degree increase at the expense of the States the power of the Federal Government.”⁷¹

In the beginning, the first and second Banks of the United States had been justified on the basis of necessity. Concerning the former, for example, John Adams said that the entire funding system was necessary given “the inconsistency of the people in contracting debts and then refusing to pay them.” Since “the states would not adopt the five per cent impost, and there were not means of paying the interest or principle of the public debt,” the funding system had to be adopted. At the same time, he noted, Americans were not very knowledgeable with respect to the nature of money and public credit.⁷²

The second Bank of the United States was chartered following the War of 1812, when American finances were in particularly bad shape and currency itself in short supply. In a speech on a bill to establish a National Bank, delivered on February 26, 1816, J. C. Calhoun remarked that “a large majority of the Republican Party voted for the Bill; influenced, no doubt, by the peculiar circumstances of the time.” Most all agreed that the Bank of the United States would be favorable to the administration of American finances. At the time, he noted, currency was extremely depreciated. The real question, however, was not whether banks were good or bad but “under what modifications were banks most useful; and whether or not the United States ought, or ought not, to exercise the power to establish a bank.” In his opinion, Congress had the right to establish a national bank as the Constitution expressly gave them the right to regulate currency.⁷³

Over the same period as well, agriculture was favored above commerce and industry. Not only was agriculture the dominant occupation of Americans, but it also cultivated in its citizens those moral qualities necessary to sustain republican government. As Jefferson was fond of saying, husbandman or cultivators of the earth “are the most vigorous, the most independent, the most virtuous, and they are tied to their country and wedded to its liberty and interests, by the most lasting bonds.” When asked by the Comte de Hogendorp in 1785 about “the expediency of encouraging our States to be commerical,” Jefferson replied that he “should wish them to practice neither commerce nor navigation, but to stand with respect to Europe, precisely on the footing of China. We should thus avoid wars, and all of our citizens would be husbandmen.”⁷⁴

Almost seventy years later, Millard Fillmore could say: Agriculture may be justly regarded as the great interest of our people. Four-fifths of our active population are employed in the cultivation of the soil, and the rapid expansion. . . alike require that the Government should use all the means authorized by the Constitution to promote the interests and welfare of that important class.” Taking note of the fact that statutes abounded for the protection and encouragement of manufactures and commerce and that “little [had] been done directly for the advancement of agriculture,” he proposed an Agriculture Bureau that would collect, and disseminate information as to the best methods of preserving soil fertility and increasing production.⁷⁵

This is not to say that commerce and industry were to be neglected. As Jefferson and other leaders recognized, limited manufactures were necessary and indispensable to encourage the use of domestic raw materials. As he wrote in 1806, “Manufactures are now as necessary to our independence as to our comfort—and if those who quote me as to a different opinion, will keep pace with me in purchasing—nothing foreign, where an equivalent of domestic fabric can be obtained, without regard to difference of price, it

will not be our fault if we do not have a supply at home equal to our demand, and wrest that weapon of distress from the hand that has so long wantonly wielded it.” In other words, it would be to America’s advantage to supply most of its own products, based on the idea of self-sufficiency.⁷⁶

A similar line of argument was employed by John C. Calhoun. Speaking on the Tariff of 1816, he said that the proposed bill did not encourage any manufacturing. Although “he was no manufacturer, coming as he did from the South” and interested like his constituents only “in the cultivation of the soil, [and] in selling its products high, and buying cheap,” yet he could see the need for some manufactures.

Neither agriculture, manufactures, nor commerce, taken separately, is the cause of wealth; it flows from the three combined, and cannot exist without each. Without commerce, industry would have no stimulus; without manufactures, it would be without the means of production; and without agriculture, neither of the others can subsist.

When separated entirely and permanently, they perish.

With some manufacturing, the farmer would find a ready market for his goods. At the same time, the farmer would have access to a cheap and certain supply of his wants. In the end, his prosperity would diffuse through the system, invigorating all.⁷⁷

All in all, he concluded, he appreciated the objections against manufactures and shared some of them himself, particularly the argument that “capital employed in manufacturing produced a greater dependence on the part of the employed, than in commerce, navigation, or agriculture.” This, he admitted, was “certainly an evil, and to be regretted.” Nevertheless, there were advantages to having some manufactures. They would, he argued, increase self-sufficiency and help bind together a spacious republic. In sum they would “form a new and most powerful cement.”⁷⁸ More important, they would contribute to national defense. By producing their own muskets, bayonets, and cannons, no nation could impair the supply of these necessary items.⁷⁹

In keeping with their emphasis upon agriculture and their ideas on free trade, Americans also followed a low tariff policy over the period 1800-1861. As the majority of political leaders agreed, the tariff was for revenue only with incidental protection for manufactures. In James K. Polk’s opinion, the standard by which the tariff should be judged was still the revenue it would produce. Also, the duties should not be so high as to prohibit altogether the importation of any given article. Commenting on the tariff of 1846, which he approved, Jefferson Davis said that,

in adopting the ad valorem rule and restricting its operation to the revenue limit, the great principle of taxing in proportion to the benefits conferred is more nearly approximated, and the power to lay duties is directed to the purpose of raising money, for which alone it was conferred in the constitution of our confederacy. Thus it was exercised by the fathers of our Republic in the first tariff enacted under the federal constitution.

Later, referring to the tariff of 1859, Davis said he had “no fondness for the existing tariff.” Being “eminently protective,” he complained, “it departed from the strictly

Democratic principle of imposing duties as taxes for revenue, and revenue only.”⁸⁰

The only exceptions to the republican policies outlined above were a series of measures enacted between 1816 and 1832 which were aimed at strengthening the nation economically and politically. Known collectively as the “American System,” these measures included a protective tariff to encourage the growth of domestic manufactures; a national system of internal improvements, i. e., roads, canals, and improved river transportation, to facilitate the exchange of products as well as ideas within the far-flung Republic; and a national bank for a more stable currency.⁸¹

It was a bold and ambitious program, to say the least, too bold in fact for many Southerners who saw in it a revival of the Hamiltonian system of the 1790’s. And therein lay the source of difficulty as well as the basis of Southern objections. As they viewed it, the “American System” of Henry Clay and John Quincy Adams would not only ruin the South, but it would destroy republican liberty. The result, of course, and the subject of the next chapter, was not a so-called “Great Reaction” in the South but a defense of original intentions as Southerners rose in unison to protest this ambitious program of national improvement.⁸²

Chapter Two

No Great Reaction: Republicanism, the South, and the American System

For his day and time, John Winsmith was not the most important political figure in the Palmetto state. He was just an ordinary citizen. Yet he spoke from below the same language of republicanism which was more than elitist rhetoric and the mere recitation of states' rights as only a rationale for the defense of slavery. In his words, "a system has been growing up in our country under the false but deceptive name of the American System. And which has at length enlisted such powerful and gigantic interests that it must ultimately destroy all that freemen hold most dear if not arrested by the salutary and vigorous interposition of state sovereignty." Reiterating a familiar and central theme through this history of Nullification in two volumes to date, old-fashioned republicanism of the 18th century founders and framers remained the touchstone of Southern beliefs well into the 19th century and beyond.¹

As Southerners maintained, the American System was basically unfair because it penalized their section, the nation's leading agricultural region and importer of manufactured goods. In the case of the protective tariff, the heart of the whole system, it was argued that the South had to pay higher prices for its imports because of the duties imposed on foreign goods in order to protect similar items produced in America. Thus, under the American System: "while imposts (duties) to the amount of 10 to 12 per cent." were "fully adequate to all the legitimate purposes of Government," duties were "actually imposed. . . upon all the Woolens, Cottons, Iron and Manufactures of Iron, Sugar and Salt, and almost every other article received in exchange for the Cotton, Rice, and Tobacco of the South, equal on an average to about 50 per cent." As Southerners complained, this tax, which was "equal to one-half of the first cost [was] imposed upon the Cottons, Woolens, and Iron, .which are the fruits of Southern industry, in order to secure an advantage in the home market, to. . .the American Manufacturers of similar articles. . . . Moreover, "by granting bounties to the one, and imposing taxes upon the other," the industry of the North was stimulated while that of the South was discouraged.²

At the same time, it was also noted that while Northern manufacturers benefitted from a protected market, Southern agriculturalists had to sell their products on the open market without such protection. As the "South Carolina Exposition and Protest" of 1828 noted, "the tariff gives them a protection against foreign competition in our own market, by diminishing in the same proportion our capacity to compete with our rivals in the General market of the world." In fact, the whole object of the tariff was "to keep down foreign competition in order to obtain a monopoly of the domestick [sic] market." As a result, not only did Southerners have "to buy dearly" but they also had "to sell cheaply" as well. Indeed, "the effect on us," stated John C. Calhoun, "is to compel us to purchase at a higher price, both what we purchase from them and from others without receiving a correspondent increase in the price of what we sell."³

It was further complained that the revenue collected from high tariffs benefitted the North at the expense of the South. All the benefits it seemed were on the side of the North while all of the burdens fell upon the South. As expressed by the South Carolina Convention of 1832, "the laws have accordingly been so framed as to give a direct

pecuniary interest to a sectional majority, in maintaining a grand system, by which taxes are in-effect imposed upon the few, for the benefit of the many.”⁴

To illustrate the unfairness and partiality of the protective tariff, it was noted that the South, with one-third of the population, exported domestic produce in the amount of \$35,000,000 annually compared to the North’s \$16,000,000. In other words, the South contributed two-thirds of the total value of exports to the North’s one-third. Based on a duty of about 45 per cent, the South it was estimated contributed to the General Treasury a sum of \$16,650,000. Yet, the South received in turn only about \$2,000,000 as their share of government disbursement a difference of some \$14,000,000-\$15,000,000 annually which amount, moreover, redounded directly to the benefit of the North. “Such,” concluded the South Carolina legislature, in 1828, “is the process and a part of the amount of the transfer of our property annually to other sections of the country.”⁵

The net effect of this unequal and unjust legislation was to impoverish the South by draining it of its resources. “In looking at the condition of the Southern States,” Robert Y. Hayne wrote to Warren R. Davis in 1827, “no one can fail to be struck with the obvious fact that our resources have never been fairly and fully called “forth.” Although possessing “all the advantages of soil and climate necessary to make us great and prosperous, we have made but small advances toward that elevated station to which we have a right to look, and to which well directed, persevering efforts will assuredly lead us.” “Can it excite any surprise,” asked the South Carolina Convention of 1832, “that under the operation of the Protecting System, the manufacturing States should be constantly increasing in riches, and growing in strength, with an inhospitable climate and barren soil, while the Southern States, the natural garden of America, should be rapidly falling into decay?” Their own answer, of course, was no. It was not surprising at all that the economy of South Carolina and the South languished under such a heavy burden. What else could be expected when the manufacturers “actually receive more than they pay” and when the surplus revenue “beyond the necessary wants of the Government . . . is expended almost exclusively in the Northern portion of the Union.”⁶

If the American System was unfair and unequal in its operation, it also represented special legislation in favor of particular classes and interest groups, most notably manufacturers, bankers, stockholders, and political favorites. In this sense, the American System conflicted with the South’s republican ideology and its emphasis upon equality and the public good. As the *Southern Review* declared in 1831, “this is a confederated republic; the pervading principle is equality; equality of rights, equality of privileges, equality of burthens [sic].” Yet, “every Corporation is a monopoly, more or less valuable. It confers on some citizens, desirable privileges that others are not entitled to.” In the case of the Bank of the United States, and by the terms of its charter, “exclusive rights and privileges on individuals” were conferred for a period of twenty years (1816-1836). In effect, “a money-dealing, money speculating monopoly” was created “consisting o-f certain subscribers to the Bank, and shareholders therein.” “What right,” it asked, “have the representatives of a Republican people. . . to create among our citizens any inequality whatever, as to rights or privileges, or to authorize its being done?”⁷

Not only was the Bank of the United States a monopoly, but its vital interests were opposed to the public good. “Consider,” stated the *Southern Review*, “the bargaining, the chaffering, the huckstering, the shopkeeping made of settling this bonus

or premium—the Opening it affords to pecuniary speculation—to legislative caballing [after the English system]—the certainty in all cases that the wary, watchful, calculating monopolists, with their own interests as their ruling motive never lost sight of, will have the advantage of men [less] skilled in the object of sale.” Consider, too, the shareholders and directors “who embark in this money-making scheme, not to carry into effect the public purposes of the institution, but to make more.”⁸

In sum, the Bank of the United States was “a creature of the wealth-worshipping idolatry of the day.” Not only that, it “threatens to convert us into a bargain-catching, speculating nation, represented in our legislatures not by high-minded men, well informed statesmen, but by dealers and chapmen, and money-brokers.” “Is it not [a] matter of history, known to every reader, how grievously, how frequently, the honest members of the British House of Commons. . .complain of the bargains made by that House with the Bank of England? Why should we open the same door here?”⁹

More serious, however, were the constitutional issues involved. Did Congress have the authority to enact a protective tariff or to establish a national bank? Could the federal government underwrite internal improvement projects within the States? For the most part, Southerners said no, stating that these powers were not expressly authorized by the Constitution. While they admitted that Congress had the power to provide for the common defense and general welfare of the people, and that it could lay and collect duties and taxes for those purposes, they insisted that these powers did not extend to banks, protective tariffs, and non-essential internal improvements. In their opinion, the powers granted to Congress were specific and limited in nature, and confined to those objects in which the states themselves could not very well carry out individually, namely, foreign affairs, national defense, and interstate commerce. Moreover, they argued, to interpret the powers of Congress broadly and to use a power granted for an express purpose only and to apply it to another and altogether different object was not only unconstitutional but dangerous as well for it represented the greatest of evils, a usurpation of power.”¹⁰

To demonstrate that their arguments against the Bank, the tariff, and internal improvements were sound constitutional doctrine, Southerners referred to the records of the Convention of 1787 itself as well as to the writings of the Founding Fathers. In particular, they turned to these sources, all of which appeared during the period 1819-1829: Yates’ *Secret Debates and Proceedings of the Convention* (1821); the *Journal of the Acts and Proceedings of the Convention* (1819); and Jefferson’s writings (1829). As Southerners were quick to point out, “these important commentaries on the Constitution have placed us at this day in a far more favourable [sic] situation for forming a correct judgment, than the legislators of 1816 [those who inaugurated the American System].” Indeed, as the *Southern Review* commented, until the publication of these sources “we did not know . . . what were the proposed and rejected questions in the Convention.” And what these records demonstrated was that all of the powers now contended for were rejected in that august convention.¹¹

In its article on the Bank of the United States, for example, the *Southern Review* noted that “in the Convention, the power of instituting corporations, generally, was repeatedly brought forward, discussed and rejected.” Not only was that rejected, but “every other special power, except that of giving copyrights to authors, and patents to inventors” was also rejected, “the general power of incorporating being whittled down to

this shred.” Likewise was “a proposition to authorize Congress to open canals and to empower them to incorporate for this purpose,” also turned down. As it was argued then, the reason for rejecting this proposal was that such a power would also give them a right “to erect a Bank.” Moreover, such authority would have rendered “the great cities where there existed prejudices and jealousies on the subject, adverse to the reception of the Constitution.” As for the protection of manufactures, “the Convention did give the qualified power of laying protecting duties to such States as wished to exercise it, and did not give it to the National Legislature.”¹²

“The truth is,” declared the *Southern Review* in 1830, “the founders of the government . . . never expected it to deviate from its original simplicity. They gave it no important power that had not been trusted to the old confederation, with the single exception of the power to regulate commerce.” Although “they strengthened the hand of government by “vesting in it the right to regulate commerce with foreign nations and between the States,” they did not add “to the extent of its powers” nor did they change the essential character of the government. Indeed, it noted, “their great end was to preserve the peace, order, morality and liberty of the country,” not to create a strong or a splendid government. As such, “they were careful to prevent mischief—to restrain power—to throw obstacles in the way of legislation.”¹³

Recognition of the unfairness and the unconstitutionality of the American System, however, does not fully explain or account for the intensity of the Southern reaction of the 1820’s. It does not and cannot because what Southerners were alarmed at went beyond the tariff and the other issues of the period whether slavery, internal improvements, or banking and currency. Indeed, what concerned Southerners was the widespread effort underway since 1815 to expand the powers of the federal government and thereby enlarge the scope of its activities. In a word, it was consolidation [that alarming buzz-word of 1787-1788 that gave rise to the anti-Federalists] and the prospect, given the tendency of the federal government to assume more control over economic and political activity, of a single, supreme government over the United States. As the South Carolina legislature of 1832 expressed it:

It is not merely that Congress have resorted for unwarrantable purposes to an oppressive exercise of powers granted to them by the Constitution; but that they have usurped a power not granted, and have justified that usurpation on principles, which, if sanctioned or submitted to, must entirely change the character of the Government, reduce the Constitution to a dead letter, and on the ruins of our confederated republic, erect a consolidated despotism, ‘without limitation of powers.’¹⁴

“The subject which ought at this moment to claim the attention of every South Carolinian,” warned Robert Turnbull, “is the tendency of the government towards a firm consolidated government.” Indeed, he emphasized, “within the last six or seven years, Congress has made more rapid strides toward consolidation, than in the thirty previous

years.” Every effort is made “to extend the powers of Congress to almost every subject.” “In our own country,” declared Thomas Cooper, “the influence of the General Government has increased, is increasing, and ought to be diminished.” “I see, as you do, and with the deepest affliction,” Thomas Jefferson wrote to William Branch Giles in 1825, “the rapid strides with which the federal branch of our government is advancing towards the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers foreign and domestic.”¹⁵

To a generation reared on republican principles and not far removed from the tyranny of George III, this effort to expand the powers of government was a very serious matter for it held out the possibility of tyranny, the ultimate consequence of too much power in the hands of a ruler or government. As Southerners knew so well, and as history proved, power by its very nature was ever aggressive and expansive and unless checked and controlled in some fashion it would ultimately destroy liberty, its natural victim. In the words of Thomas Cooper, “it is the property of Power, whether delegated or assumed, to extend itself, to absorb, to accumulate; *ampliare jurisdictionem*. All history proves this.” As Robert Turnbull put it, “power is always stealing from the many to the few.” “The history of the world,” wrote a correspondent in the *Southern Quarterly Review*, “narrates a never-ending struggle between the tendency of government to usurp absolute power, and the desire of man to widen the sphere of his individual liberty.” “If there be a political proposition universally true, one which springs directly from the nature of man, and is independent of circumstances,” stated John C. Calhoun, “it is that irresponsible power is inconsistent with liberty and must corrupt those who exercise it.”¹⁶

For this reason, Southerners recognized, the Founding Fathers had created a government of limited and specified powers. By dividing and defining the powers to be exercised, they thought, usurpation by an ambitious ruler would be prevented. For the same reason, they had insisted on a written constitution. After all, the purpose of a constitution was to protect liberty. With a set standard to guide those who ruled, they felt, there would never be any question about the exercise of doubtful powers. For added safety, they also favored strict construction and a close adherence to the original terms of the compact. In America, explained John C. Calhoun, “we consider all powers as delegated from the people and to be controlled by those, who are interested in their just and proper exercise, and our Governments, both State and General [or Federal], are but a system of judicious contrivances, to bring this fundamental principle into fair practical operation.” Without “such a check on their powers, however clearly they may be defined, and distinctly proscribed, our liberty would be but a mockery.” Indeed, given the corruptibility of men and the irresponsibility of power, “the government, instead of being directed to the General Good, would speedily become but the interest to aggrandize those, who might be intrusted [sic] with its administration.”¹⁷

Yet, as many Southerners were beginning to recognize, the Constitution, that sacred charter of liberty, was being threatened by those who sought to expand the powers of the federal government. All of a sudden, it seemed, Americans in the North and West were demanding more and more from their government. First, there was the movement in favor of a protective tariff followed by a clamor for more banks and money. Next, came the rage for internal improvements. Then there was the effort to restrict slavery in the territories as seen in the famous Missouri debates of 1819-1821.¹⁸

Behind this movement to expand the authority and operations of the government, and the most alarming development of all, was the behavior of the judiciary, most notably, the decisions of Chief Justice John Marshall which increased national authority at the expense of the states. As Jefferson feared, “the engine of consolidation will be the federal judiciary.” That “subtle corps of sappers and miners,” he wrote to Thomas Ritchie, “[was] constantly working underground to undermine the foundations of our confederated republic [the name for the new American government used by Alexander Hamilton in *The Federalist* #9].” In the process, he added, “they [were] construing our Constitution from a co-ordination of a general and special government to a general and supreme one alone.”¹⁹

Voicing the same complaint was James Madison. “There is,” he stated, “often an apparent disposition to amplify the authorities of the Union at the expence [sic] of those of the States,” a tendency he did not especially favor. “It is of great importance, as well as of indispensable obligation,” he noted, “that the constitutional boundary between them should be impartially maintained.” Indeed, “every deviation from it in practice detracts from the superiority of a chartered over a traditional Government and mars the experiment which is to determine the interesting problem [of] whether the organization of the political system of the United States establishes a just equilibrium, or tends to a preponderance of the National or the local powers.”²⁰

Even more insidious in its effects was the court’s “loose construction” of the Constitution based on the doctrine of implied powers. “Under the power to regulate commerce,” complained Jefferson, “they assume indefinitely that [power] also over agriculture and manufactures and call it regulation to take the earnings of one of those branches of industry . . . and put them into the pockets of the other.” What’s more, “under the authority to establish post roads, they claim that of cutting down mountains . . . of digging canals.” The same reasoning also applied to the general welfare clause which was used to enact any measure remotely related to the public good. As expressed by James Madison, in the American political system based as it was on the good of all, “everything is related immediately or remotely to every other thing; and consequently a Power over any one thing, if not limited by some obvious and precise affinity, may amount to a Power over every other.”, “There is no measure which concerns the general welfare immediately, or most remotely,” intoned Robert Turnbull, “which Congress does not feel itself at liberty to adopt.”²¹

The end result of this “loose construction,” Jefferson warned, was to undermine the Constitution (that palladium of liberty,) leaving no limits as to its powers and thereby affecting a consolidation of power. “The high sanction given to a latitude in expanding the Constitution,” declared Madison, “. . . seems to break down the landmarks intended by a specification of the Powers of Congress.” In the opinion of Robert Turnbull, “all the guards which the framers of the Constitution, and the State Legislatures had cautiously provided, to keep the General Government within its prescribed and limited powers, have been discovered to be utterly useless.” “Its certain tendency,” said Thomas Cooper, “[is] to pave the way to monarchy.”²²

As an example of this judicial usurpation, Republicans pointed to John Marshall’s decision in the case of *McCulloch v. Maryland* delivered on March 6, 1819. As he argued, the federal government was national and supreme. “The United States [was] a Nation,” not a league of sovereign states. “There [was]. . . no agreement formed between

the government of the United States and those of the states.” “If any one proposition could command the universal assent of mankind,” he wrote, “it would be this—that the government of the Union, though limited in its powers, is supreme within its sphere of action.” This supremacy, he added, followed “necessarily from its nature” as “the government of all; its powers are delegated by all; it represents all, and acts for all.” It also followed from the fact that the government had to have the power to “bind its component parts.” In sum, he concluded, and contrary to the argument presented by the counsel for Maryland, “the government of the United States. . . is supreme; and its laws, when made in pursuance of the constitution, form the supreme law of the land.”²³

As for the argument that the Constitution emanated from “the act of sovereign and independent States” and not from the people, he stated that “it would be difficult to sustain this proposition.” Although the delegates to the Convention were elected by their State legislatures and voted by States, the Constitution still emanated from the people and not the states. Besides, “the instrument, when it came from their hands, was a mere proposal, without obligations, or pretensions to it.” Only when the people approved it through their elected representatives did the Constitution become legal and binding. In short, the Constitution and the government it created proceeded “directly from the people; [was] ‘ordained and established’ in the name of the people.” It was in fact “emphatically and truly, a government of the people.”²⁴

Not only did it emanate from the people, but “its powers [were] granted by them, and are to be exercised directly on them, and for their benefit.” Indeed, “the powers of this government are conferred for their own benefit, are essential to their own prosperity, and are to be exercised for their good, by persons chosen for that purpose by themselves.” As he noted: The object of the instrument is not a single one which can be minutely described, with all its circumstances. The attempt to do so, would totally change its nature, and defeat its purpose. It is intended to be a general system for all future times, to be adopted by those who administer it, to all future occasions that may come within its own view. From its nature, such an instrument can describe only the great objects it is intended to accomplish, and state in general terms, the specific powers which are deemed necessary for those objects. To direct the manner in which these powers are to be exercised, the means by which the objects of the government are to be effected, a legislature is granted. This would be totally useless.²⁵

In accordance with this supremacy and duty to act, Marshall declared, “the government t. . . must, according to the dictates of reason, be allowed to select the means. Toward that end, the Constitution added to the powers of the government that of making “all laws which shall be necessary and proper, for carrying into execution the. . . powers vested by this constitution.” As he explained it, “it must have been the intention of those who gave these powers, to insure, as far as human prudence could insure, their beneficial execution. This could not be done by confining the choice of means to such narrow limits as not to leave it in the power of Congress to adopt any which might be appropriate, and which were conducive to the end.” In his opinion, let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the constitution, are constitutional.²⁶

To Republicans, Marshall’s opinions were not only erroneous but dangerous as well. It was in fact an entirely new view of the origins and nature of the Union and the

Constitution. "We conceive these errors [of interpretation] to be most alarming," declared Thomas Ritchie of the *Richmond Enquirer*. To "Amphictyon" [Judge William Brockenbrough?], they struck at "the very existence of state rights." In his opinion, Marshall's decision contained principles of "dangerous consequence" which, if persisted in, would transform the government from a limited to an unlimited one. As he noted, "those who opposed the constitution always apprehended, that the powers of the federal government would be enlarged so much by the force of implication as to sweep off every vestige of power from the state governments." Now, as it were, "the progress of the government from the commencement of it to this day, proves that their fears were not without foundation."²⁷

Understandably, Southerners increasingly became alarmed. "We have at length reached a crisis," said James Hamilton, Jr. of South Carolina. "The public mind," remarked another South Carolinian, is "uneasy at the operation of the General Government—dissatisfaction does exist." Only "a few years ago," he added, "we all reposed with satisfaction under the shadow of the General Government." Now, "great national questions have arisen" and "in every mind there lurks the cruel apprehension of a fearful coming on of a deep and wide commotion." In John C. Calhoun's opinion, at no time since "the commencement of our government, have our institutions been in such eminent [sic] danger." "I see clearly," he stated to John McLean, "that we are to have a most violent struggle, turning on important principles; and on the issue of which the whole .course of our future must depend."²⁸

Equally alarmed was Thomas Jefferson. In letter after letter to his friends and political associates, Jefferson voiced his concern and pessimism about the political trends of the 1820's and the future of the Republic. Writing to John Holmes during the Missouri controversy, Jefferson said "I regret that I am now to die in the belief that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their government, is to be thrown away by the unwise and unworthy passions of their sons." His only consolation, he thought, was that he would "not live to weep over it."²⁹

In another letter, this time to Claiborne W. Gooch, Jefferson wrote: "I . . . fear, with you, all the evils which the present lowering aspect of our political horizon so ominously portends. That at some future day, which I hoped to be very distant, the free principles of our government might change with the change of circumstances was to be expected. But I certainly did not expect that they would not over-live the generation which established them. In conclusion, he stated that "although I have little hope that the torrent of consolidation can be withstood, I should not be for giving up the ship without efforts to save her."³⁰

Thus alarmed and aroused, Southerners moved to meet the challenge posed by the advocates of consolidation. The remedy, all agreed, was to put the government back on its republican tack. "We must," said John C. Calhoun, "restore the government to its primitive principles." Similar advice came from John Taylor of Caroline who declared: "Return to frugality; restore . . . free trade; abolish exclusive privileges; retract unjust pensions; surrender legislative patronage; [and] surrender also, legislative judicial power." Hopefully, this could be accomplished peacefully by instructing representatives in the right course of action or through the amending process. If all else failed, however, there was always secession or the right of revolution. "Separate from our companions,"

Jefferson advised William Branch Giles, “only when the sole alternatives left, are the dissolution of our Union without them, or submission to a government without limitations of powers. Between the two evils, when we must take a choice, there can be no hesitation.”³¹

This so-called “Great Reaction,” as it has been termed by historians, was by no means an isolated phenomenon confined to fear-stricken planters in South Carolina. To the contrary, it encompassed the entire South as every state below the Potomac joined in the protest against the American System and the evils of consolidation. Each Southern state, it seemed, could boast of a number of prominent spokesmen in behalf of States’ Rights and strict construction, the two leading principles of the Republicans’ creed. Even in the North, the same hue and cry against “consolidation” could also be heard as leading Democrats (Republicans) in that region called for retrenchment and reform and a return to republican principles.³²

In Virginia, the strident voice of protest was led by John Taylor of Caroline that prolific farmer-philosopher who attacked the American System and the doctrine of loose construction upon which it was based in a number of influential publications. In *Construction Construed, and Constitutions Vindicated* (1820), Taylor criticized John Marshall and his nationalist interpretation of the Constitution. In *Tyranny Unmasked* (1822), he indicted the tariff and its ill-effects on the South and the nation, both economically and politically. Finally, in *New Views of the Constitution* (1823), Taylor again attacked the Marshall court and its broad interpretation of the Constitution which document, Taylor believed, should protect against the unlimited exercise of power rather than sanction it.³³

For Taylor, it was like old times again. As in the 1790’s, he was once more protesting against a system of measures that threatened the very basis of the Republic itself. It was in fact the same struggle, a contest between those who would transform it into a corrupt, tyrannical government based on special privilege and patronage. Indeed, as he and other Republicans viewed it, the American System and the Marshall Court presented the same dangers of consolidation and corruption as the Hamiltonian system of finance had done thirty years earlier. And now as then it was also their duty to resist.³⁴

Joining Taylor was Thomas Jefferson himself, the sage of Monticello and symbol of the Republican Party, who not only lent moral support to the cause of republicanism, but also took an active role in protesting federal usurpations of the 1820’s. In the former capacity, Jefferson acted as an elderly advisor as well as put his stamp of approval upon political writings and views in defense of states’ rights and strict construction. When a friend sent him a copy of Thomas Cooper’s *Consolidation, An Account of Parties in the United States from the Convention of 1787, to the Present Period*, Jefferson commented that “it ought to be published in pamphlets & circulated far & wide.” On receiving a copy of John Taylor’s, *New Views on the Constitution*, he said that he would read it “with the satisfaction and edification which I have ever derived from whatever he has written.” Of Judge Spencer Roane’s “Amphictyon” essays, Jefferson said that he read every one of them for “they contain the true principles of the revolution of 1800.”³⁵

If Jefferson dispensed advice and approval, he also took an active role in defense of republican principles. In reaction to President John Quincy Adams’ first annual message of December, 1825, Jefferson drafted for the Virginia legislature a solemn protest against federal usurpations. Although he withdrew it in the face of firm opposition

to the Adams administration in the states and in Congress, he did not relinquish his belief that these new styled Republicans represented a grave threat to the Republic. As he commented in 1824, “those who formerly usurped the name of federalists, which in fact, they never were, have now openly abandoned it, and are as openly marching by the road of [loose] construction, in a direct line to that consolidation which was always their real object.”³⁶

More important, Jefferson confessed “the naked truth” that he was in fact the author of the Kentucky resolution of 1798. As he stated in 1821, it was time that the truth was known, especially since the nation faced a crisis similar to the one twenty-three years earlier. Needless to say, Jefferson’s admission to being the author of this states’ rights document “created havoc in the National Republican camp” while it inspired the proponents of strict construction and republicanism.³⁷

Jefferson’s deepening pessimism was more than a reaction to his personal and financial troubles of these years. It was altogether real and heartfelt, the genuine by-product of his concern for the Republic which he had done so much to establish. Now, as it were, this “Empire for Liberty” was being challenged by the very forces (nationalism, capitalism, and democracy) that he and other Founders had hoped would not emerge in America. Referring to John Quincy Adams and the National Republicans, Jefferson complained that this new breed of men “who have nothing in them of the principles of 1776 now look back to a single and splendid government of an aristocracy, founded on banking institutions and monied [sic] incorporations under the guise and cloak of their favored branches of Manufactures, commerce, and navigation, riding and ruling over the plundered ploughman [sic] and beggared yeomanry.”³⁸

Jefferson and Taylor were by no means the only Virginians who protested against nationalism and consolidation. Joining them were such eminent men as John Randolph of Roanoke, Judge Spencer Roane, Thomas Ritchie, (editor of the influential *Richmond Enquirer*), Benjamin Watkins Leigh, James Barbour, Philip P. Barbour, William Branch Giles, Thomas Mann Randolph, Littleton Waller Tazewell, and a host of others who filled the columns of Virginia newspapers with essay after essay on the evils of the American System and in favor of states’ rights and strict construction. Significantly, many of these writers assumed the pen names of famous classical and English republicans. Spencer Roane, for example, assumed the pseudonym of “Hampden” after John Hampden, the hero of the Ships’ Money case and martyr to liberty who died in 1643 fighting the royalists of Charles I of England. Another famous essayist of that period, Benjamin Watkins Leigh, wrote under the name “Algernon Sydney.” Sydney, of course, was one of the most famous of the English Republicans.³⁹

In other states, the same process was repeated as the great, near-great, and anonymous voiced their concerns about nationalization and consolidation and called for a ‘return to the principles of ‘76, ‘87, and ‘98.’ In Georgia, prominent republicans, states’ rightists, and strict constructionists included John M. Berrien, Augustin S. Clayton, Richard Henry Wilde, John P. King, Wilson Lumpkin, A. B. Longstreet, Hines Holt, Jr., Henry M. Clay, Charles Dougherty, Col. Seaborn Jones, and E. J. Black. Although the smallest Southern state, South Carolina furnished many talented men to the cause of republicanism. First and foremost was William L. Smith who “espoused the states’ right creed with an unmistakably evangelical fervor.” Other advocates of states’ rights and strict construction included Thomas Cooper, Robert Turnbull, Stephen D. Miller, Robert

Y. Hayne, James Hamilton, Jr., Warren R. Davis, Armistead Burt, George McDuffie, Langdon Cheves, Whitemarsh B. Seabrook and, of course, John C. Calhoun. In North Carolina, such men as Nathaniel Macon, Bartlett-Yancey, James Iredell, Romulus M. Saunders, Lemuel Sawyer, and Samuel Price Carson upheld the cause of states' rights and republicanism.⁴⁰

Outside the South, republicanism and the cause of states' rights and strict construction were upheld by such political leaders as Marcus Morton of Massachusetts, Samuel D. Ingham, Thomas Rogers, John Sergeant, Albert Gallatin, Richard Bache, and Alexander J. Dallas of Pennsylvania; Samuel L. Southard of New Jersey; and Joseph G. Swift, Micah Sterling, DeWitt Clinton, and Samuel L. Gouverneur of New York. For evidence that this feeling was not confined to the political-social elite, note the following comment by Thomas Rogers, United States Representative from Pennsylvania. Writing to John C. Calhoun, Rogers reported that "the people of my district are decided and inflexible Republicans." In fact, he added, "my Republican friends in my district are well satisfied with my vote [on the Missouri question] and my efforts to settle this odious and distracting question."⁴¹

Perhaps the most able and effective spokesman for republicanism in the North, however, was Condly Raguet of Philadelphia, the noted political economist and newspaper editor. A firm believer in the principles of free trade (and an ardent foe of Mathew Carey, the apostle of protectionism), Raguet had nothing good to say about the tariff or the American System in general. Not only did he oppose the tariff, but he also supported the idea of Nullification, believing as he did in the rights of states. As he stated in 1834, "the doctrine of State Sovereignty is, in truth, the basis of our whole republican theory, and it is of the greatest importance that it be well and clearly understood." Indeed, "without State Sovereignty," he noted, "State Rights could never have had an existence, and without State Remedies they can never be preserved."⁴²

Nor was this "Great Reaction" solely to the slavery issue alone. The most important issues, that is if we are to believe what men said at the time, were those of a constitutional nature. Could Congress enact a protective tariff and subsidize a national bank? Could it undertake internal improvement projects? Could it interfere with slavery in the territories? Above all, what was the nature of the Union? Was America's system of government federal or national? As Nathaniel Macon stated it so well in 1824, "the question most important before the people, & the legislatures of the Union and the States is this, at least according to my poor Judgment; Can the federal government do whatever it deems expedient; or in other words can it promote the general welfare in any way it pleases[?]" In sum, was the Constitution of the United States "limited or unlimited?"⁴³

This is not to say that slavery was of no concern at all to Southerners. It was. As William Freehling has documented so substantially, Southerners in the 1820's and 1830's were increasingly anxious about their "peculiar institution," a state of affairs directly related to the rise of abolitionism both in Great Britain and in America. For the first time, Southerners were confronted with a concerted effort to abolish slavery. As Whitemarsh Seabrook summed it up so well in 1825, "the tenure by which we hold our slaves, is daily becoming less secure." Along similar lines, John P. Richardson commented in 1833 that "the danger thickens and approaches." "Our Southern or domestic Institutions have no friends among Northern or Eastern members of Congress."⁴⁴

Yet, the slavery issue itself was a constitutional one involving the nature of the Union. As Southerners were quick to point out (and rightly so), slavery was protected by the Constitution. Not only that, as a purely local institution, it was a matter for the individual states, not the federal government. For the national government to take action against slavery, moreover, would be a gross violation of the constitutional compact and an invasion of the rights of the states. And that, Southerners agreed, would be justification for revolution. "Nothing is more clear," stated Whitemarsh Seabrook, "than that an open or forcible infringement of the constitutional rights of any one of the States, from whatever quarter it may proceed, would be a manifest usurpation, justifying a resort to self-defense."⁴⁵

In other words, as long as the original view of the Constitution as a compact between sovereign states prevailed, slavery was safe. Thus, only by a new interpretation of the Constitution or a new view of the Union could any action against slavery be taken, and that was precisely what was happening in the 1820's with the judicial decisions of John Marshall and the doctrine of loose construction. As Southerners recognized, a government that could underwrite internal improvements or pass a more protective tariff could also abolish slavery—or raise internal taxes or seize other property and establish a despotism.⁴⁶

"The real question," said Thomas Jefferson, "as seen in the States afflicted with this unfortunate population, is are our slaves to be presented with freedom. . . ? For if Congress have the power to regulate the conditions of the inhabitants of the States, within the States, it will be but another exercise of that power, to declare that all [slaves] shall be free." Expressing the same belief was Robert Barnwell Rhett who in 1828 declared "that the General Government must be driven back to its legitimate limitations in the Constitution." If not, he warned, "the, next stride would be against our own slave institutions." In sum, he "was for fighting on the Tariff the battle which must otherwise be fought on Slavery."⁴⁷

In sum, it was a matter of principle for without a respect for the rights of the states and the limitations upon national power imposed by the Constitution, where would governmental interference end? Would it end? While the issue today might be the tariff or internal improvements, in the future it would be liberty itself. This, then, was the issue and the source of their concern. In Calhoun's words, "if our Constitution does not guard, it places us in the same despotick [sic] relation to the Government, as a subject stands to an absolute monarch. To protect the subject against the Government is in fact the only object & value of [the] Constitution. . . . It is the governed that needs its protection. The great question then is, does our Government afford this protection under its practical operation, or can in fact do so, under any other construction, than that for which we contend?"⁴⁸

In opposing the American System, moreover, and in raising the standard of states' rights and strict construction, Southerners were not, as historians have charged, switching allegiances from nationalism to sectionalism. According to this orthodox interpretation, Southerners, who had once been enthusiastic supporters of nationalist measures, abandoned their earlier nationalistic outlook in the 1820's for an extreme sectionalism. The rationale behind this switch in loyalties was not only a concern for abolitionism which was gaining strength, but also the realization that a strong federal government itself was a threat to slavery. In defense of their "peculiar institution," therefore,

Southerners embraced the doctrines of states' rights and strict construction as convenient subterfuges against abolition.⁴⁹

As proof of this change in Southern political thinking, historians emphasize earlier Southern support of nationalist measures. In particular, they point to the "Federalization" of the Republican Party under the leadership of Jefferson and Madison. As the argument goes, Republicans "talked peace but declared war; they opposed the national debt but increased it; they fought the Bank of the United States and proposed its re-charter; they asserted only enumerated powers but purchased Louisiana, seized West Florida, and recommended internal improvements with federal funds." In sum, the Republicans failed to practice what they preached. For their apostasy, moreover, they earned the enduring enmity of that group of ideologically pure political leaders, the Old Republicans. What better proof could there be of "Federalization" than the opposition of such republican stalwarts as John Randolph of Roanoke, John Taylor of Caroline, and Nathaniel Macon?⁵⁰

As further proof of a change in thinking, historians also refer to Southern support of the tariff, banking, and internal improvements legislation of 1816 and after. Indeed, they argue, Southerners were among the most ardent spokesmen for nationalism. It was the South, they note, through its young "War Hawks" (Felix Grundy, William Lowndes, and John C. Calhoun), that not only led the movement for a declaration of war against Great Britain in 1812 but also urged its vigorous prosecution once fighting began. After that conflict, these same men became the most prominent spokesmen in behalf of a protective tariff, internal improvements, and a stronger military establishment.⁵¹

As Marshall Smelser notes, however, "the Federalization argument stands on a selective comparison of Republican preaching in the 1790's and Republican practice thereafter." In other words, historians anxious to prove their point, have seized upon a few selected examples such as the Bank of the United States and the Louisiana purchase to demonstrate Republican deviation from their professed principles. Such a comparison not only does injustice to the whole spectrum of Republican policy and administration but also ignores the political realities of the period 1801-1815. Although Republicans were forced by external circumstances, i. e., the wars in Europe during these years, to modify some of their policies, "the important fact is," he concludes, "that they neither repudiated nor repealed their original principles."⁵²

While it is true that Republicans acquiesced in the Bank of the United States, they did not give up their deep distrust of banks and so-called paper systems. As Jefferson declared in 1813, "I should say put down all [banks], [and] admit none but a metallic circulation." If bank paper was not suppressed, he warned, "then indeed is the country desperate." These negative-opinions were reinforced with the Panic of 1819 which Jefferson believed was "produced first by the flood, then by the ebb of bank paper." For this reason, Republicans allowed the charter of the First Bank of the United States to expire peacefully in 1811.⁵³

Although Republicans favored internal improvements, they made very important distinctions between appropriations for internal improvements and actual control of them and also between distinctly national projects as opposed to those of a purely local nature. According to Republicans, Congress could appropriate funds for internal improvements that were beneficial to the nation as a whole. As James Monroe expressed it, "my idea is that Congress have [sic] an unlimited power to raise money, and that in its appropriation

they have a discretionary power, restricted only by the duty to appropriate it for the purposes of common defense and of general, not local, national, not State, benefit.”⁵⁴

To go beyond that, however, was to infringe upon the rights of the states and to assume authority or a power not granted. As President James Monroe stated in his celebrated veto message of 1822, “we may fairly conclude that the right to adopt and execute a system of internal improvements, or any part of it, has not been granted to Congress [under any of the enumerated powers].” “All that Congress can do under it [the right of appropriation] in the case of internal improvements would be to appropriate the money necessary to make them. For every act requiring legislative sanction or support the State authority must be relied on.” Thus, “the condemnation of land . . . the establishment of turnpikes and tolls and the protection of the work when finished must be done by the State. To these purposes the powers of the General Government are believed to be utterly incompetent.”⁵⁵

To admit that right, he observed, would be to open the new field for legislation and internal government.” In his words, if the United States possessed the power contended for . . . might they not in adopting the roads of the individual States for the carriage of the mail, as has been done, assume jurisdiction over them and preclude a right to interfere with or alter them? Might they not establish turnpikes and exercise all the other acts of sovereignty . . . over such roads necessary to protect them from injury and defray the expense of repairing? Surely, if the right exists these consequences necessarily followed as soon as the road was established. The absurdity of such a pretension must be apparent to all who examine it. In this way a large portion of the territory of every State might be taken from it, for there is scarcely a road in any State which will not be used for the transportation of the mail⁵⁶

To illustrate this important point, Monroe presented the hypothetical case of the United States building a road from Washington, D. C., to Baltimore, Maryland and connecting “the Chesapeake Bay with the Delaware and the Delaware with the Raritan by a canal.” As the first step in this project, he noted, commissioners would have to be appointed “to trace a route in the most direct line.” Once laid out and built, the road and canal would have to be kept in repair. “To accomplish this object Congress should have a right to pass laws to punish offenders.” Since these persons would “fly far off before the sun appeared,” it would also be necessary to increase competent tribunals for this punishment. In regard to turnpikes, Congress would have to be given authority to make “such regulations, with fines and penalties” for those who did not pay or who damaged the road. In sum, one power would lead to another with the result that Congress would ultimately possess unlimited power with respect to internal improvements.⁵⁷

The one exception to the general rule of Republican consistency, the purchase of Louisiana, is easily explained by the extenuating circumstances surrounding the acquisition of that “trackless world.” the international situation at the time was a perilous one. Europe was in a general state of warfare, the result of Napoleon’s quest for empire. Although there was a brief respite in 1802 with the Peace of Amiens, war between Great Britain and France (and their allies) was renewed in 1803. Especially disconcerting to Americans was Napoleon’s design for a western colonial empire. Using Haiti as a base of operations, Napoleon hoped to expand French influence into North and South America.⁵⁸ At the same time, Westerners were clamoring for the right of deposit at New Orleans which Spanish officials had unexpectedly denied in 1802. Also, there was the uneasy

feeling that Westerners might establish a separate confederacy which might align itself with a hostile power and involve the United States in a war. In short, the purchase of Louisiana was deemed essential to national security. As one of Jefferson's admirers wrote in 1803, "you have secured us the free navigation of the Mississippi. You have procured an immense and fertile country; and all these great blessings are obtained without war and bloodshed."⁵⁸

It should be noted, however, that the chief constitutional objection to the Louisiana Purchase was not that Jefferson or Congress had assumed a power not granted by the Constitution. Rather the chief objection concerned the fact that under the terms of the purchase, the residents of Louisiana would become United States citizens by incorporation as opposed to the usual method of naturalization. For the most part, writes Dumas Malone, there was general agreement on both sides that territory could be acquired "through the actions of the President and Congress." In his words, "the sovereign right of the nation to do this, which was afterwards confirmed unequivocally by the Supreme Court, was doubted by neither Gallatin nor Madison; and, in effect, Jefferson conceded it by bypassing that question."⁵⁹

Indeed, Republican political leaders had little to say about constitutional difficulties. Nathaniel Macon, "a firm guardian of pure republicanism" if there ever was one, expressed no fears about an unwarranted assumption of power in his letter to Jefferson of September 3, 1803. To the contrary, he reported that the purchase of Louisiana had been generally approved by the people of his district. In fact, he wrote, the only thing Republicans had to fear was the "party madness" of their Federalist foes. The same could be said of John Breckinridge of Kentucky. Writing to Jefferson on September 10, 1803, he not only ignored the constitutional issue altogether but said that Kentuckians, so great was their anxiety, would consider any neglect of duty to be "treasonable. . . ."⁶⁰

It should also be noted that Jefferson, in agreeing to the Louisiana Purchase, was careful to emphasize his belief in strict construction and that his action did not make the Constitution "a blank paper." As he wrote to Wilson Cary Nicholas, "our peculiar security is in possession of a written Constitution. Let us not make it a blank paper by construction." In regard to the exercise of doubtful powers, he said that "when an instrument admits two constructions, the one safe, the other dangerous, the one precise, the other definite, I prefer that which is safe & precise." Indeed, he added, "I had rather ask an enlargement of power from the nation where it is found necessary, than to assume it by a construction which would make our powers boundless."⁶¹

While historians have made much of Jefferson's failure to follow his own advice and ask for a constitutional amendment with respect to the Louisiana Purchase, his action on that point should not be construed as an abandonment of principle. To quote Dumas Malone again, "to say that he [Jefferson] hereby promised to acquiesce in making blank paper of the Constitution is to overload a metaphor and indulge in extravagance." In his opinion, Jefferson, "far from admitting that henceforth all constitutional restraints were off. . . was putting himself on record among his intimates as recognizing dangers of construction against which they must ever be on guard." Jefferson was persuaded not to propose an amendment "by the pitiless logic of events. . . . To have expressed his constitutional scruples publicly would have endangered an agreement that he deemed

essential to national security, while putting weapons into the hands of his political enemies.”⁶²

While additional evidence could be brought forward to substantiate the claim that the Republicans were not “Federalized,” such as their opposition to the Judiciary Act of 1801, their reaction to *Marbury v. Madison*, and their conduct during the War of 1812, the best evidence comes from the Republicans themselves. As James Madison commented in 1823, the Republicans had not, as charged, “abandoned their cause, and gave over to the policy of [our] opponents.” “The people,” he added, “are now able everywhere to compare the principles & policy of those who have borne the name of Republicans or Democrats, with the career of the adverse party; and to see & feel that the former are as much in harmony with the spirit of the nation & the genius of the Gov[ernment] as the latter was at variance with both.”⁶³

As to the opposition of the Old Republicans, “the differences that split the Republican Party, writes Norman Risjord, “were less a conflict of principle than the application of principle to the every-day management of the government.” By 1811, in fact, the opposition to Jefferson and Madison had all but ceased, being confined largely to the person and personality of John Randolph of Roanoke. Although the War of 1812 witnessed some grumblings of dissatisfaction, the election of James Monroe in 1816 and a return to sound republican doctrine prevented any widespread defection in party ranks.⁶⁴

If historians are mistaken about the “Federalization” of the Republican Party, they have also misinterpreted Southern motives in supporting the so-called “nationalist legislation of 1816. Using the same fallacies of generalization and composition, historians of this era have not only arbitrarily denominated those measures as “national,” under the mistaken assumption that they sought an increase in the powers of the federal government, but they have also labeled those who voted for them as “nationalists.” As the argument goes, those who supported the Bank of the United States, the tariff of 1816, and internal improvements were “nationalists” because they wanted to strengthen the federal government. Since Southerners joined in this effort, they too were “nationalists.”⁶⁵

As with most fallacious arguments, these assertions, while they contain an element of truth, nevertheless do violence to the facts of the case. In the first place, the measures of 1816 were not national in the sense that they aimed to strengthen the national government. Rather their purpose was more utilitarian in nature than national. In sum, they were responses to the unsettled conditions spawned by the War of 1812. In fact, the only thing national about them was their scope and the fact that they were aimed at serving the public good in accordance with the principles of republicanism. Unlike the “American System” of Henry Clay and John Quincy Adams, which was strictly sectional in nature, the measures of 1816 as originally conceived were supposed to benefit all Americans by improving transportation and communication, by stabilizing the currency and finances of the nation, and by promoting self-sufficiency through the encouragement of some manufactures. As it turned-out, however, the “American System” degenerated into a bargain between the East and the West whereby the former voted for internal improvements while the latter supported the protective tariff.⁶⁶

In the second place, the measures of 1816 did not require any increase in the powers of the federal government as Congress already possessed ample powers to enact

such legislation. With respect to the tariff, Congress had the power to lay and collect duties and taxes for revenue. Concerning internal improvements, Congress did have the power if not to undertake such projects at least to authorize expenditures for national projects such as military and postal roads. In relation to the Bank of the United States, Congress not only had the power but the duty to regulate the currency.⁶⁷

In this context, too, the debate in Congress was not so much over the question of whether Congress could do these things but whether it should. As opponents pointed out, federal activity in these areas could be the stepping-stone to a larger assumption of powers. For this reason, the legislation that was passed was quite conservative in nature and surrounded with qualifications and conditions. Internal improvements as mentioned earlier were limited to purely national concerns. While Congress could authorize expenditures for roads and canals, actual supervision was left to the states. As for the tariff of 1816, often called the first protective tariff, it only provided incidental protection in accordance with the Republican principle of a tariff for revenue only. As for the Second Bank of the United States, steps were taken to reduce direct government control and to make it more of a private institution with the express purpose of regulating the currency of the nation and stabilizing it against wide fluctuations in value.⁶⁸

Finally, these generalizations by historians of that era do violence to Southern motives in supporting the measures of 1816. To read historical accounts of the period one would think that Southerners had completely abandoned their republican principles in advocating such “extreme” measures. Yet, as an examination of those measures shows, Southerners did not give up their beliefs in states’ rights or strict construction. Nor did they call for any great increase in the powers of the federal government. All they asked was that Congress exercise the powers granted it under the Constitution.⁶⁹

To begin with, the measures either supported or proposed by Southerners were not very extreme. In the case of the tariff of 1816, for example, Southerners did not advocate a purely protective tariff. While admitting the necessity of some protection, given the encouragement of manufactures during the War of 1812, Calhoun did not favor excessive duties on foreign imports to benefit American industry. Rather he called for moderate or incidental protection while maintaining the general principle of a tariff for revenue only. In 1814, when manufacturers became uneasy at the prospect of the repeal of the embargo or restrictive system imposed during the war of 1812, Calhoun said that they had no reason to worry. “As to the manufacturing interest,” he stated, “it could not be considered as disregarded, when there existed a duty of 50 per cent on the invoice duty of foreign goods. If this was not encouragement,” he added, “he knew not what was.” For his part, “he hoped to see manufactures encouraged by appropriate duties, and had no idea of their being left without such protection.” As he later declared, “certain manufactures in cottons and woollens, which have kindly taken root in our soil, should have a moderate but permanent protection ensured to them.”⁷⁰

More to the point was Calhoun’s speech in favor of manufactures on April 7, 1814. Replying to Alexander McKim’s motion to strike out Section 2 of the Repeal Bill (to allow the importation of British manufactures if they were not enemy-owned), Calhoun said that “the gentleman [McKim] was mistaken in supposing that our infant manufacturing institutions would be embarrassed by this measure. As he noted, manufactures already received adequate protection. Adding “the discriminating duty of 10 per cent on such importations in foreign vessels” to the ad valorem duties of 33 1/3

per cent increased that figure to 43%. "Was it wise," he asked, "to extend to our manufactures further encouragement than this?" In his opinion, "to continue the present non-importation system merely to protect manufactures, when they received already so much protection/ would be dangerous instead of beneficial to them." With respect to the amount of protection necessary, Calhoun believed that a "permanent duty of 20 per cent was an ample protection."⁷¹

Equally moderate was Calhoun's Bank Bill. Far from advocating a centralized, government-controlled bank, Calhoun in effect called for a more private institution with a minimum of government influence. As originally proposed by Alexander J. Dallas, Secretary of the Treasury, the Bank of the United States (B. U. S.) would have had a capital of \$50,000,000 of which two-fifths or \$14,000,000 would be subscribed by the federal government. The B. U. S., moreover, would have been authorized to loan the government \$30,000,000 at six per cent interest. Under Calhoun's bill, the government presence was reduced considerably. The first change was to reduce the amount of capital to \$35,000,000. At the same time, the amount the federal government could subscribe was reduced to one-fifth or from \$14,000,000 to \$7,000,000. Furthermore, the amount the B. U. S. could lend the government was reduced to \$500,000, a considerable reduction to say the least and a significant step as well toward lessening government control of that institution. Additional changes (some by Calhoun and some not) include the deletion of those sections of the bank bill that required the president of the B. U. S. to be one of the directors appointed and removable by the President; that gave Congress and the President the authority to suspend specie payments; and that provided- at the discretion of the Secretary of the Treasury, for government funds to be deposited in the B. U. S. and its branches.⁷²

Concerning his reasons for supporting the B. U. S., Calhoun said that it was necessary and essential for the economic and financial well-being of the nation. As he noted in his speech on the Bank Bill, "the currency of the nation. . .was extremely depreciated." Instead of gold and silver, we have "a paper medium, unequally but generally depreciated, which affects the trade and industry of the nation; which paralyzes the national arm; which sullies the faith, both public and private, of the United States." In his opinion, the financial condition of the country was like that at the time of the Revolutionary War "in which every state issued bill of credit and were of various value." As far as he was concerned "a national bank paying specie itself, would have a tendency to make specie payments in general, as well by its influence as by its example." Moreover, "a national bank of 35 millions . . . would produce a powerful effect all over the Union." In his estimation, it would, by refusing to accept the notes of non-specie paying banks in payment of dues to the government, not only reduce bank failures, but also restore general economic confidence. As he stated, "the derangement of a circulating medium. . .was a joint thrown out of its socket; let it remain for a short time in that state, and the sinews will be so knot, that it cannot be replaced." Yet, "apply the remedy soon, and it is an operation easy though painful."⁷³

As to the constitutionality of the B. U. S., Calhoun stated that it "had been already so freely and frequently discussed, that all had made up their minds on it." Besides, the real question was not whether banks, including the B. U. S. were legal, but "under what modifications were [they] most useful, and whether the United States ought or ought not to exercise the power to establish a bank." In his considered opinion, "the power was

given to Congress . . . in express terms to regulate the currency of the United States. . . .” No one, he said, “who referred to the Constitution, could doubt that the money of the United States was intended to be placed entirely under the control of Congress.” As further proof of this right, Calhoun mentioned “the prohibition against the states [from] issuing bills of credit.”⁷⁴

The same reasoning applied to Calhoun’s and other Southerners’ support of internal improvement projects. As they argued, such projects were necessary and essential to the welfare of the Republic. As Calhoun expressed it, “what can add more to the wealth, the strength, and the political prosperity of our country [than good roads and canals]?” Not only did they facilitate commercial intercourse within the Union and reduce the cost of transportation, but they were also important militarily especially when the chief reliance was on the militia. As such, it was essential to have good transportation so that the militia could be quickly mustered and deployed. Indeed, he added, a good system of roads and canals was indispensable to the existence of the Republic.⁷⁵

In advocating internal improvements, moreover, Southerners were well within established guidelines of republican policy as they argued only for internal improvements that were directly related to the national welfare. It was not as if they were calling for complete federal control over roads and canals or for the government build them in every state of the Union. As Calhoun reminded his colleagues, “no particular road or canal is proposed to cut through any state.” All that he proposed in his bill was that Congress simply appropriate “money to the general purpose of improving the means of communication.” At the same time, he added, “let it not be argued, that the construction for which contended gave a dangerous extent to the powers of Congress.”⁷⁶

As with the tariff, the B. U. S., and internal improvements, Southern support for a stronger system of national defense, particularly the proposals by John C. Calhoun, has also been exaggerated and turned into something it was not. To read historians on this subject, one would think that Calhoun, in requesting an increase in the size of the army, wanted to replace the militia system with a large, professional standing army. To do so, however, is once again to confuse Southern motives for what Southerners wanted was not necessarily a larger army but a more efficient and effective one. And that is precisely what the nation got during Calhoun’s tenure as Secretary of War (1817-1825)⁷⁷

As Calhoun recognized, the War of 1812 had demonstrated inherent weaknesses in the army not only in organization, communications and the movement of troops (due to an inadequate road system), but also in the more critical area of morale and discipline. Indeed, it was no secret that the army had not performed well (as the disasters of Detroit, Ft. Dearborn, Frenchtown, Ft. Meigs, and Ft. Stephenson showed). In fact, the only occasions for rejoicing were provided by the Navy which scored regular successes over the supposedly superior British fleet. As Marshall Smelser writes, “enough naval victories were won in 1812 to flame in glory and keep national pride heated amidst the general gloom of disaster.”⁷⁸

Although the United States muddled through the War of 1812, it was apparent to many that something would have to be done with the army if it was to become an effective fighting force. Toward that end, John C. Calhoun as Secretary of War inaugurated an ambitious reform program which would produce the desired results. In particular, Calhoun called for (1) an increase in the number of professional soldiers in the army; (2) an improved system of roads which would facilitate the movement of troops;

(3) better pay and emoluments to retain as well as to attract better qualified personnel; and (4) better and more frequent training for the militia. Calhoun also (5) improved and clarified the command system; (6) reorganized the army supply system; (7) reinvigorated the Military Academy at West Point; (8) updated training manuals; and (9) secured from Congress appropriations to launch an ambitious building program to improve fortifications.⁷⁹

At no time, however, did Calhoun call for a large, standing army. All he wanted was a small increase in the number of regulars to provide the necessary order and discipline which any army needed if it were to be successful in combat. As he commented to Timothy Pickering, Americans have great valor but no system or organization “which are the elements of military power.” At the same time, however, he also recognized that “a large standing army [was] dangerous to the liberty of our country.” For this reason, he not only limited his request for additional soldiers but also made sure that they were dispersed along the frontiers where they would pose no threat to the Republic itself.⁸⁰

Nor did Calhoun desire to do away with the militia (although he clearly recognized its deficiencies). “I am by no means disposed,” he wrote to Timothy Pickering, “to set the militia aside.” In his opinion, “our ultimate reliance for defence ought to be on the militia.” If armed and properly trained, he added, they would “answer all of the purposes for which they ought to be intended,” namely, defense and the preservation of liberty. As he envisioned it, the small complement of regulars would act as the first line of defense until such time as the militia could be mustered and deployed.⁸¹

True to his own word, then, and in keeping with the wishes of Americans, Calhoun gave them what they wanted: a small, low-cost but effective army capable of defending the nation against outside attack. In fact, it was the genius of his plan that it combined the best features of a standing army and a militia without perpetuating the dangers of one and the weaknesses of the other. In the process, the army not only received a needed dose of order, system, and discipline, but also maintained intact the American tradition of a citizen army. To do more would be to risk the dangers inherent in a large standing army. To do less was to weaken the army still further and thus endanger the Republic itself.⁸²

It should be noted in this context that Southern support of the measures of 1816 was not necessarily inconsistent with their emphasis upon states’ rights and strict construction, an assumption based on historians’ conception of Southern political beliefs as being essentially negative in nature. Yet, while the republican ideology of Southerners stressed the need for restraints on power and while it discouraged certain kinds of economic activity, it did not put a complete negative on economic development. To the contrary, it encouraged public improvement as well as a very active participation in public affairs especially at the local level.⁸³

The logic behind this emphasis upon energy and activity was two-fold. On the one hand, it encouraged that sense of public spiritedness which was considered to be the life-blood of a republic. On the other hand, it discouraged idleness, one of the banes of a republic. As was recognized by good Republicans, “idleness [was] the mother of vice.” The consequences of doing nothing, declared James Henry Hammond, was “doing

nothing good.” “Who,” he asked, “has ever reaped pleasure or advantage from doing nothing? It is only by the greatest activity and precaution that we can escape evil. . . .”⁸⁴

Even at the national level, republican ideology allowed the federal government to exercise its enumerated powers. The problem arose when the government went beyond those specific powers and usurped authority not granted. In other words, as long as Congress confined itself to the grant of powers provided in the Constitution, there was no objection to its performing services for the public good. Indeed, not to exercise those powers was as much a sin as assuming too much power. If government could do too much, it could also do too little. The secret, then, and the key to political and economic stability as well, lay in striking a proper balance between too much and too little power on the one hand and between extravagance and parsimony on the other.⁸⁵

In sum, republican ideology allowed for limited progress. As John P. King aptly expressed it in 1859, it was progress “within proper bounds.” It was progress that was controlled and conservative and aimed at the good of all, not the kind that was speculative and wasteful in nature and which had as its only aim the enrichment of the individual. To Republicans, this kind of progress not only glorified the individual at the expense of the state but led to that sumptuousness and luxury which history proved was the ruin of the state. In King’s words, “progress is well enough within proper bounds—when it goes beyond, it ceases to be safe, and when it ceases to be safe it ceases to be salutary.”⁸⁶

All theorizing aside, however, the best evidence for the assertion that the South did not change or switch allegiances comes from Southerners themselves. As Calhoun wrote to Robert S. Garnett of Virginia, “I have never uttered a sentence that could give offence to the most ardent defender of State rights.” To the contrary, he had “the profoundest respect for the rights of the States” and had “never spoken disrespectfully of them, or endeavored to establish principles, that would weaken them.” Indeed, he added, “I have never done an act, which, if condemned in me, Mr. Jefferson, Mr. Madison, and Mr. Monroe must not be equally condemned.”⁸⁷

In 1833, Calhoun again denied the charge that he and his native state had abandoned their republican principles in favor of a broad nationalism. It is argued, he said, that South Carolina “is responsible for the protective system” because it voted for the Tariff of 1816. At the same time, he noted, he himself was “held up as the author of the protective system and one of its most strenuous advocates.” Yet, he stated, he only advocated that tariff on the grounds that it was a tariff for revenue and not for protection. Besides, as his speeches against the embargo during the War of 1812 clearly showed, he was no friend of the protective system.⁸⁸

Agreeing with this interpretation of Calhoun’s and Southerners’ motives in 1816 was the *Southern Quarterly Review*. In an article published shortly after Calhoun’s death, that publication denied the charge “that Mr. Calhoun, in voting for the tariff of 1816, became the advocate of protection.” Although “life is destroyed and blood is shed” in war, it stated, it does not “follow that those who advocate war are guilty of murder.” As it commented, the South in 1816 voted for the tariff “to discharge an honest and honorable debt.” To the editor of the *Augusta, Georgia Chronicle and Sentinel*, Calhoun’s speech in 1816 did not prove that he was a “champion of the Protective System.” As he noted, the protective system was not then in existence. Besides, he added, the bill passed in 1816 was temporary in nature and designed solely for the relief of those manufactures that had

sprung up under the embargo. By no means, he emphasized, was it designed to be the settled and permanent policy of the nation.⁸⁹

No, it was not the South that changed but the American System itself. From its original, limited purposes, the American System was transformed into something altogether different that not only threatened the South but the nation as well. As Southerners increasingly discovered, it had, under the influence of Henry Clay and John Adams (the authors of this “new” American System), become a program purely sectional in nature and almost unlimited in scope. Not only that, it had also degenerated into a vast system of patronage and corruption with the avowed purpose, not of serving the national interest and the public good, but of benefitting and enriching individuals at the public’s expense. In effect, it had turned into nothing less than a raid on the national treasury by special interest groups. To quote the *Southern Quarterly Review* of a later date, it had become an “undisguised system of plunder.”⁹⁰

As proof of this changed nature of the American System, Southerners pointed first to the increase in tariff duties over the period 1816 to 1828. According to the South Carolina Convention of 1832, tariff duties in 1790 averaged 7 ½ per cent. Although the act of 1816 increased duties to 25 per cent, they observed, that was nothing compared to the increases between 1816 and 1832 which raised duties to 40 per cent (1824), 50-60 per cent in 1828, and even 100 per cent in 1832. With these increased duties, Southerners argued, no longer was the tariff for revenue only. Instead it was purely protective in nature and therefore unconstitutional.⁹¹

As further proof, Southerners pointed to the election of John Quincy Adams as President in 1824. A “neo-Federalist,” Adams alarmed good Republicans with his extreme nationalist pronouncements and expansive policies. In effect, Adams offered the nation through his version of the “American System” a “dazzling plan for national development.” At the heart of this plan was a high protective tariff that would, by giving even greater encouragement to manufacturers, make the United States one of the world’s leading industrial nations. At the same time, and with the revenue to be generated from increased duties on imports, Adams also proposed an ambitious scheme of federally funded internal improvements as well as government sponsored explorations for geographic and scientific purposes.⁹²

If ever there was irrefutable evidence of a tendency toward consolidation, Republicans argued, this was it. As they referred to it, it was “the Perilous Experiment.” To Calhoun, “the spirit [sic] of the coalition is more dangerous and daring than that of Federalism in its worse form.” Moreover, he wrote to Bartlett Yancey, “if not successfully arrested at the next election, we may bid a long adieu to all control over the executive branch of our government.” In his opinion, and one shared by many others, the Adams administration represented the antithesis of republicanism. As he stated in his “Onslow” letter of October 12, 1826, “the principles on which the administration is organized, the rules which have governed the appointment to office, all the doctrines contained in the inaugural address of Mr. Adams, and in his Message to Congress, are a departure from the principles of the Constitution and the American system of politics [as understood and acted on by the Republican party], and are in imitation of the English.”⁹³

In effect, not only in his style and in the tone of his discourse, but also in his ambitious programs, Adams raised the fear of corruption and constitutional degeneration. “All signalled a threat, it seemed, to that equilibrium between the branches of

government which was essential to both liberty and stability, an equilibrium most likely to be upset, according to inherited [republican] ideas, by undue executive influence.” Although Republicans themselves had favored internal improvements and incidental protection for manufactures, what Adams and Clay proposed was something else entirely different both in its scope and its aim. As Calhoun declared in 1826, “if not successfully resisted by the People, [the principles of the Adams administration] must, in a short time, convert our Government first into an oligarchy, and finally, at no long interval, into a monarchy.”⁹⁴

Bad as the extreme measures of Adams’ administration were, even more objectionable were the circumstances of his election which seemed to bear out the charges of corruption and executive usurpation. As Calhoun confided to Micah Sterling, “It [the Adams administration] came into power against popular principles; not by the voice of the people but by patronage, or rather the hope of patronage, and it will endeavour to support itself by patronage.” Indeed, he wrote to Joseph G. Swift, “the voice and power of the people has [sic] been set at naught; & the result has been a President elected not by them, but by a few ambitious men with a view to their own interest, I fear.”⁹⁵

What Calhoun was referring to, of course, was the “corrupt bargain” between Henry Clay and John Quincy Adams whereby the former, on the promise that he would be appointed Secretary of State, swung enough support in the House of Representatives to have Adams elected as President. The election was decided there because in the general canvass of 1824 none of the four contenders—Andrew Jackson, William Crawford, Clay, and Adams—were able to command a majority of the electoral votes necessary for victory. Consequently, the task of selecting a President devolved upon the House of Representatives where, thanks to Clay’s support, Adams was elected.⁹⁶

To the supporters of Andrew Jackson, the popular favorite, this “corrupt bargain” smacked of political intrigue and became the rallying cry for the campaign of 1828. To John C. Calhoun, the election was an outrage and a blow to republican liberty for it elevated a man to the presidency on the basis of patronage and against the wishes of the people. “The recent election by the House and the appointment of Mr. Clay,” he wrote to Christopher Vandeventer, “constitutes a most dangerous precedent, which the people cannot confirm without danger to the public liberty.” It was in fact “the most dangerous stab, which the liberty of this country ever received.” If the example of the last election were not reversed, he warned Joseph Swift, “the election [for President] hereafter will go habitually to the House, where under the cover of the recent example, if not reversed, the country will be regularly sold, as the Roman crown was by the Praetorian Band.”⁹⁷

In point of fact, the election of 1824 had been one of the most scurrilous in the history of the early Republic, especially in its early phases when John C. Calhoun and William H. Crawford, bitter rivals to the end, were vying for the presidency. Between these two men, it would not be incorrect to say, there was no love lost. Indeed, each hated the other with a perfect if not a supreme passion. As Calhoun confided to John Quincy Adams, never had there been “a man in our History who had risen so high, of so corrupt a character, or upon so slender a basis of service.” Complicating matters further was the fact that they were the nominees of the same party which entailed the necessity of proving that the one and not the other was the real Republican candidate. While this could be accomplished by accentuating the positive, i.e., the candidate’s own record and

achievements, it could also be done by tearing down the other candidate and casting aspersions on his character and conduct.⁹⁸

The intensity of the campaign and the violent feelings it engendered are illustrated by the duel between Col. William Cumming, a supporter of Crawford in Augusta, Georgia, and George McDuffie, Representative from South Carolina and a supporter of Calhoun. Cumming, who had taken offense at some remarks made by McDuffie, challenged the latter to a duel which took place on June 7, 1822. In this first encounter, Col. Cumming almost killed McDuffie. As described by Calhoun, "the ball entered the right hip and lodged in the backbone." Although Calhoun considered the wound as "mortal," it was not as McDuffie miraculously recovered. Unfortunately for McDuffie, however, this affair of honor was by no means concluded and the two men met again in December, 1822. Again McDuffie was shot, this time in the left arm.⁹⁹

The net effect of this campaign of violence and vituperation was to diminish the presidential hopes of both men. Indeed, in view of the in-fighting between Calhoun and Crawford, the people decided to support a man unconnected with the administration. And that was precisely what happened for in the latter phases of the campaign public support turned toward Andrew Jackson who eventually was chosen as the nominee of the Democratic-Republican party.¹⁰⁰

Significantly enough, it was during the campaign of 1824 that the charge of Calhoun's apostasy from "pure republicanism" first emerged. Anxious to lay claim to the mantle of Jeffersonianism, the Crawfordites held themselves up as the advocates of "Democracy, Economy, and Reform," a decision no doubt influenced by the Panic of 1819 and the need to reduce government expenditures. By contrast, Calhoun was portrayed both as an ardent nationalist, for his actions in 1816, and as favoring extravagant expenditures for national defense while serving as Secretary of War (1817-1825). As Calhoun wrote to Ninian Edwards, "Mr. C[rawford]. . . has not but a single circumstance to hang his hope on, the gaining over [of] the Bucktails of New York to his interest. To effect this, his friends in that State are making great efforts to prove that he is more purely of the Jefferson school of politics than any other candidate."¹⁰¹

More important, from this point on the real Calhoun became obscured as historians, for reasons of their own, have believed Calhoun's opponents and not Calhoun himself with respect to his political career and his claim to kinship with Jefferson and the principles of "'76, '87, and '98." Hereafter, Calhoun would be referred to as that ambitious man who, in order to gratify his burning ambition, went with South Carolina rather than the nation. In the process, historians have noted, he became "John C. Calhoun, the Sectionalist" as opposed to "John C. Calhoun, the Nationalist."¹⁰²

For Calhoun, it had been a shattering experience and a practical lesson as well in the new art of politics. Holding to more old-fashioned ideas about politics and campaigning, Calhoun did not believe in electioneering as such. While he agreed that a candidate should meet with the people and be attuned to their needs, he did not believe that a candidate should promise everything in return for being elected to office. Nor should he, once elected, be a slave to the will of the people. In Calhoun's complicated calculus, a representative should exercise independence of judgment based on what was good for the nation and the people as a whole, not on the basis of what was good for one particular group or class. Above all, he believed, a candidate or office-holder, besides possessing character and honor, should stand on principle. "I would much rather go down

in pursuing, that system of policy, to which I am attached,” he wrote to Samuel D. Ingham, “than to rise by persuing [sic] any other.” In his opinion, “the best way to rise is to do right, to pursue with *prudence* the *lasting interest* of the country.”¹⁰³

By 1828, Southerners were indeed calculating the value of the Union. Increasingly uneasy at the tendency toward consolidation and the general corruption of national politics, they were looking for some relief from the American system of Clay and Adams, which they regarded as the root cause of the evils afflicting both their own section and the nation at large. Much to their dismay, however, Congress passed the “Tariff of Abominations” in 1828, so-called because it raised duties in some cases to their highest levels ever. Needless to say, passage of this new tariff did not sit well with Southerners who had been complaining about high tariffs for several years. As they viewed it, the time for action had arrived. Clearly, something had to be done.¹⁰⁴

For the moment, at least, South Carolina was a hot-bed of revolution. “One subject at this time,” Calhoun declared in 1828, “agitates this section[,] the Tariff. It is certain that the Southern States are almost unanimous in viewing the high duties as exceedingly oppressive, and. as the real source of their embarrassment, and I may add [their] impoverishment.” In his opinion, it was “in its tendency. . .by far the most dangerous question that has ever sprung up under our system and mainly because its operation [was] as unequal among the parts [the sections of the country].” Writing to James Madison, Thomas Lehre of Charleston solemnly announced that “disunion is now publicly spoken of & advocated by men who heretofore have always reprobated such an Idea.” In conclusion, he lamented, “what would Mr. Jefferson say if he was now alive, to see the great strides that are now making to destroy the beautiful Republican System of Government, the best the world ever saw.” In reply, Madison concurred saying that it pained him much to discover “the spirit of disunion” in South Carolina especially in view of its “love of liberty” and “the warm attachment she has ever evinced to the Union.”¹⁰⁵

It is only against the background of this widespread reaction to the American System and its nationalizing tendencies that the Nullification Movement can be fully appreciated, for in the final analysis it represented the culminating event in defense of the Republic. As John C. Calhoun and other Republicans (North and South) realized, unless something were done to arrest the ill-effects of that oppressive system not only would the South be ruined economically and the nation itself bankrupted and corrupted, but “the Republican system [of government]” of the United States” would be turned “into a monarchy.” Translated into more modern and understandable terminology, this meant that America would end up with a despotic government of special interests controlled by and at the mercy of an absolute majority. Like the absolute monarchies of Europe and Asia, the Republic would become a government without limits to its powers and based on the good of the ruler (or rulers) rather than the good of the people (or the ruled).¹

“That our government, for many years, has been gradually verging to consolidation . . . and that restraints upon the power of the government have been virtually removed so as practically to convert [it] . . . into a government of an absolute majority without check or limitation,” declared John C. Calhoun, “cannot be denied.” In less than forty years since the adoption of the Constitution, he noted, “scarcely a restraint in fact is left on the will of the General Government.” Indeed, he added, the “great and sacred division of power” upon which it rested and upon which “the fabrick [sic] of our freedom stands” was being “broken down almost entirely by drawing into the vortex of power of the general government, direct legislation over the capital and industry of the country.” “In this country,” lamented Thomas Cooper, the noted professor of political economy and inveterate foe of consolidation, “we are fast abandoning the federal [republican] principle of an [sic] Union of the States, and are at this moment one consolidated people, with an acknowledged omnipotence of Parliament; and that employed for no other purpose, than to raise taxes upon the South & squander them upon the North.”²

As Calhoun and others warned, “if not successfully resisted,” this tendency toward consolidation irrespective of the limits imposed by the Constitution would be “give it [the General Government] unlimited powers, and reduce the States [contrary to the principles of the compact of 1787] to mere corporations.” Worse, “[it] must be followed by all the consequences which never fail to spring from the exercise of irresponsible power.” “If permitted to progress,” he stated in his “Address to the People of South Carolina,” it “must terminate, as it ever has, in the absolute and unlimited power of a single despot.”³

Here, then, was the “fire bell in the night” to which Jefferson had referred in his famous letter to John Holmes of April 22, 1820. Speaking of the Missouri debates and the question of slavery restriction, Jefferson wrote that “like a fire-bell in the night, [it] awakened and filled me with terror. I considered it at once the [death] knell of the Union.” As it now stands, he added, “we have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is on one scale, and self-preservation in the other.” Though “hushed for the moment,” he concluded, it was but “a reprieve only, not a final sentence.”⁴

What Jefferson was referring to, of course, was not just the slavery issue alone but to the more general and serious problem of majority tyranny. In particular, he was referring to the emergence in the North of a sectional interest with ideas and interests

totally opposed—morally, politically, and constitutionally—to those of the South. What is more, he had in mind a sectional interest that was determined to override the Constitution and impose its will on the South.⁵

Indeed, it was precisely this division of interests along geographical lines and with it, the prospect of majority tyranny by the North on the South, that made the 1820's such a critical period in their own right, for as nearly everyone recognized it threatened the very basis of the Republic itself. Not only that, it held out the prospect of disunion and civil war. In Calhoun's opinion, "nothing could be more fatal than a state of things, where the two great sections of this country, shall find themselves opposed on great questions of permanent interest.' That such is the present who can doubt?" "I have examined the subject with deep solicitude and am under deep conviction," he wrote to Samuel Smith, "that unless Congress retrace its steps and abandon[s] so dangerous a power [as it has assumed over the active interest of the country], the end will be, and that not remote, either disunion, or despotism." If the North persisted in its tyrannical measures, he warned, it would result in "alienation of affection, and distrust on the part of the great masses of our population of the operation of our government."⁶

Agreeing with this assessment were Thomas Jefferson and James Madison. Unlike "the old schism of federal and republican," Jefferson confided to William Short, which "threatened nothing, because it existed in every State and united them together by the fraternism [sic] of party," this conflict between North and South threatened everything because it was purely sectional in nature. Moreover, it was based on mutual hostility as well. "A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men," he wrote, "will never be obliterated; and every new situation will mark it deeper and deeper." Not only would it be "recurring on every occasion and renewing initiations" but "it would kindle such mutual and moral hatred, as to render separation preferable' to eternal discord." As expressed by James Madison, the "incompatibility of interests between different sections of the country" and the prospect of "an oppression of the minority by the major section. must engender in the former a sentiment amounting to serious hostility."⁷

What was so alarming about this sectionalism and the division of interests along geographical lines, was the fact that it should never have happened, at least according to republican theory.' After all, the Republic had been designed to prevent this very thing from happening. As the Founding Fathers had realized, wrote John C. Calhoun, one of the dangers in a Republic, aside from the traditional injustice of rulers, was the possibility of majority tyranny—the oppression of one part of society by another part. As they believed and as James Madison had written in *The Federalist* No. 51, "it is of great importance in a republic not only to guard against the oppression of its rulers, but to guard one part of the society against the injustice of the other part." "In fact," Calhoun noted, "the abuse of delegated power, and the tyranny of the greater over the less[er] interests are the two great dangers, and the only two to be guarded against, and if they be effectually guarded against, liberty must be eternal."⁸

The reason for such oppression by a majority lay not only in the "ambition, and avarice" of man and in the "universal tendency. . .to the abuse of power, but in society itself which was composed of stronger and weaker groups or interests and divided between the ruler and the ruled. "There must of necessity exist diversity of interests in all communities," Calhoun stated, "and that diversity in a democracy must produce parties, a

majority and a minority, a stronger & a weaker. . .having between them the same tendency to abuse, and if not checked ending in the same oppression, which must if not prevented. . .ever exist under all forms of government, between those, who bear that relation to one another.”⁹

As proof for this assertion, Calhoun pointed to “the histories of those ancient & modern Republics” which “fully established the truth of this position.” As they demonstrated, “all governments are actuated by a spirit of Ambition and avarice.” Whatever the form of government, be it “monarchical, Aristocratical or Republican,” they all exhibited “a universal tendency in consequence to the abuse of power . . . and which, if unchecked, must lead to tyranny and oppression.” In fact, he added, this truth was also well established by uniform experience, that it may be considered an axiom in political science.” “If there be a political proposition universally true, one which springs directly from the nature of man, it is that irresponsible power is inconsistent with liberty and must corrupt those who exercise it.” “Every circumstance of life teaches us the liability of delegated power to abuse. We cannot appoint an agent without be[ing] reminded of the fact.”¹⁰

These truths, moreover, were all recognized by the men who framed the Constitution. As Calhoun observed, “they were wise and practical statesmen, enlightened by history and their own enlarged experience. They also “understood profoundly the nature of man and Government. They saw and felt, that there existed in our nature, the necessity of government, and government of adequate powers; they saw that the selfish [must] predominate over the social feelings, and that without a government of such powers universal conflict and anarchy must prevail among the component parts of society.”. Thus their belief in and reliance upon checks to prevent oppression. “They. . . saw that in the ballance [sic] of these opposing tendencies, originating in the same source [selfishness], the one impelling to excess and the other to effect restraint [for self-preservation]. . .liberty and happiness must for ever depend.”¹¹

For this reason, Calhoun noted, they came up with the idea of the extended Republic. By enlarging the territory of the Republic to encompass a multiplicity of interests, they hoped, it would be nearly impossible for any combinations or factions to form which would threaten the rights of all and especially those of the minority. “The experienced & wise men, who formed that instrument [the Constitution],” he stated, “had not the folly to trust for the protection of liberty to the naked principle, that the majority has a right to govern. . . .They saw most clearly that however popular the system that checks must be interposed between the governing majority and the governed minority.” As such, “they. . .placed the power delegated to the General Government. . .not in the hands of a simple [numerical] majority of the people. . .but [in] a compounded [or concurrent] majority made up of the States and the people of the States. . . .In other words, by this “principle of the concurring majority” (a majority estimated “not in reference to the whole, but each class or community of which it is composed”) there was “incorporated in the regular and ordinary operation of the Government” those distinct and different interests which made up a political community and whose individual consent was necessary “to give validity to the measures of Government itself.”¹²

As Calhoun explained it, the Republic itself was based on a diversity of interests. “On this different character by which powers are distinguished in their geographical operation,” he wrote, “our political system was constructed.” “Looking to the facts,” he

continued, “the Constitution has formed the States into a community only to the extent that they have common interests, leaving them distinct and independent communities, as to all other interests.” “It is thus,” he concluded “that our political system, resting [’on the principle’] that there are different geographical interests in the community, has in theory . . . provided the most efficient check against its dangers.”¹³

As a further check upon majority tyranny, Calhoun observed, the Founding Fathers also divided and limited the powers of government. On the one hand, they provided for a division of powers between the state and federal governments. On the other hand, they separated the functions of government itself into distinct departments—legislative, executive, and judicial. Thus, under the Constitution, he wrote, wrote, “the powers of the General Government are particularly enumerated and specifically [sic] delegated; and all powers, not expressly delegated, or which are not necessary and proper to execute those that are granted, are expressly reserved to the States and the people.” In this way, he commented further, “the Government is . . . positively restricted to the exercise of those general powers, that were supposed to act uniformly on all the parts, leaving the residue to the people of the States by whom alone from the nature of these powers they can be justly and fairly exercised.” “On this great and sacred division of power, far more important to us, than the separation [sic] into Legislative, Executive, and Judicial,” he declared, “it is conceded the fabric of our freedom stands.”¹⁴

Without these important safeguards, Calhoun concluded, “however clearly they [delegated powers] may be defined, and distinctly prescribed, our liberty would be but a mockery” as “the Government, instead of being directed to the General good, would speedily become, but the instrument to aggrandize those, who might be intrusted with its administration.” Indeed, he declared, “the essence of liberty comprehends the idea of responsible power: that those, who make and execute the laws, should be controlled by those on whom they operate.” In short, “the governed should govern.” “Those governments only which provide checks, which limit, and restrain within proper bounds the power of the majority have alone had a prolonged existence, and been distinguished for virtue, patriotism, power and happiness That this coincidence is not accidental we may be fully assured.”¹⁵

As Calhoun and other leaders recognized, however, those constitutional safeguards against majority tyranny and the abuse of power were no longer effective. Instead of a community of interests based on the good of all, there were now but two interests: the North or the majority interest and the South or the minority interest. In Calhoun’s words, “the country [was] divided and organized into two great parties [,] one sovereign and the other subject, bearing towards each other all the attributes which must ever accompany that relation, under whatever form it may exist.” “On the great and vital point, [of] the industry of the country, the interest of the two great sections of the country is opposed.” Whereas “we want moderate taxes, frugality in government, economy, accountability, and a rigid application of the publick money to the payment of the debt, and to other objects authorized by the Constitution. . . their views [in the North] are precisely the opposite [that is, higher taxes, extravagance, more debt, and projects not authorized by the Constitution].”¹⁶

As to the cause of this dangerous state of affairs, it was agreed almost by all that it was the American System itself. By favoring the capitalists and manufacturers of the North and East at the expense of the agriculturalists of the South and West, Southerners

argued, the government had been converted “into a mere instrument of taking money from one portion of the community, to be given to another.” In the process, that “relation of equality between the parts of the [republican] community [,] established by the Constitution[,]” was thus destroyed, and in its place there “[was]. . .substituted the relation of sovereign and subject, between the stronger and weaker interests in its most odious and oppressive form.”¹⁷

For all practical purposes, Calhoun declared, the industry of the South was at the mercy of a sectional majority completely opposed to and hostile to its interests.. “Through our political connection, [and] by a perversion of the powers of [the] Constitution, which was intended to protect the States of the Union in their natural advantages, they have stripped us of the blessings bestowed by nature, and converted them to their own advantage.” In fact, he concluded, “we are the serffs [sic] of the system, out of whose labour is raised, not only the money paid in to the Treasury, but the funds, out of which are drawn the rich reward of the manufacturer and his associates in interest.” As George McDuffie expressed it (as only he could), “South Carolina is oppressed. A tyrant majority sucks her life blood from her. Yes sir, a tyrant majority, unappeased, unappeasable, has persecuted-and persecutes us.”¹⁸

It was, to say the least, a novel situation and one not provided for in the Constitution. According to John C. Calhoun, while the authority of the national government was amply protected from encroachments on the part of the States, the same could not be said for the rights of the states. “If we look to the practical operation of the system,” he stated, “we shall find on the side of the States no means resorted to, in order to protect their reserved rights against the encroachment of the General Government, while the latter has from the beginning adopted the most efficient [means] to prevent the States from en-croaching on their [sic; its] delegated powers.” In the case of the national government, he noted, the Supreme court had “the right [by the Judiciary Act of 1789] of final interpretation, and the power in reality of nullifying the acts of the State legislatures whenever in their [sic; its] opinion they may conflict with the powers delegated to the General Government.”¹⁹

By contrast, however, the states could only rely on a strict construction of the Constitution to preserve their rights. Yet, as events were proving, this was not an effective check or restraint on the powers of the General Government. “We witness,” Calhoun stated, “under the most favourable circumstances, such an extension Of its powers to a point to leave the States scarcely a right worth possessing.” Indeed, “the very power of [strict] construction on which its advocates relied to preserve the rights of the States has been wielded, as it ever must be if not checked, to destroy these rights.”²⁰

In this situation, Calhoun asked, and where the Constitution failed to protect the reserved rights of the states, what then was the remedy? What could the states do to protect their rights? Calhoun’s answer, of course, was Nullification or more properly “state interposition.” As he stated in the “South Carolina Exposition and Protest” of 1828, “that protection which the minor interests must ever fail to find in any technical system of construction may be found in the reserved rights of the States themselves . . . and there only will they ever be found of sufficient efficacy.” In other words, each state as a sovereign member of the constitutional compact had a right “of deciding on infractions of their rights, and the proper remedy to be applied for their correction.” Indeed, he added, “the right of judging in such cases is an essential attribute of sovereignty, of which the

States cannot be divested without losing their sovereignty itself; and being reduced to a subordinate corporate condition.”²¹

It was this “right of judging of their powers” and thus possessing “a veto or control within limits on the action of the General Government,” he concluded, which enabled the states to resist and “prevent the encroachment of the General Government.” It was also the remedy “by which the distribution of power between the General & State governments. . . may be preserved forever inviolable on the basis established by the Constitution.” More important, it was “thus [that] effectual protection [was] afforded to the minority against the oppression of the absolute majority.”²²

The basis for this view and the justification of Nullification as well was the compact theory of the American Republic. As Southerners understood it, the Union was a voluntary agreement among the states to better provide for their safety and welfare. In order to accomplish this more perfect Union, the states, as sovereign entities, agreed to give up some of their rights and to create a general government which would act for the states in external matters such as foreign affairs and commerce. Those rights not granted or enumerated specifically in the Constitution or the compact were reserved to the states themselves. To assure this division of powers and to protect the rights of the states, the tenth amendment was added to the Bill of Rights as a further check on the exercise of power by the general or federal government.²³

It necessarily followed from this view of the Constitution and the Union, that nullification was a proper remedy. “The States then being parties to the constitutional compact, and in their sovereign capacity, it follows of necessity, that there can be no tribunal above their authority, to decide in the last resort whether the compact made by them be violated In short, “where resort can be had to no tribunal, superior to the rights of the parties, the parties themselves must be the rightful judges in the last resort, whether the bargain made has been pursued or violated.” Indeed, Calhoun concluded, “to divide power and to give to one of the parties the exclusive right of judging . . . is in reality not to divide at all; and to reserve such exclusive right to the General Government. . . is to convert it in fact into a great consolidated Government with unlimited powers, and to divert the States in reality of all their rights.”²⁴

All of this theorizing, of course, was contained in the “South Carolina Exposition and Protest” of 1828, that state’s answer to the “Tariff of Abominations” of the same year. Drafted secretly by John C. Calhoun at the request of the state legislature, the purpose of this important state paper was to present their objections to the protective system (as it had developed after 1816) and to announce to the world both their belief in state interposition as well as their intention to employ it if tariff rates were not reduced to more satisfactory levels. As it was stated solemnly by a committee of the legislature, “if the present usurpations and the professed doctrines of the existing system be persevered in, after due forbearance on the part of the State. . . it will be her sacred duty to interpose; a duty to herself, to the Union, to the present, and to future generations, and to the cause of liberty over the world, to arrest the progress of usurpation which, if not arrested, must, in its consequences, corrupt the public morals and destroy the liberty of the country.”²⁵

This is not to say, however, that South Carolina was ready or even willing to nullify the tariff of 1828. As Calhoun and other Nullifiers made clear, South Carolina’s object in the whole tariff controversy was “reformation, not revolution; to preserve and not to destroy.” All they wanted was relief in the form of lower tariff duties. If that were

achieved, then everything would be fine. If not, then more drastic action would be required. As Calhoun wrote to Postmaster General John McLean, "I think you need be under no apprehension, that this State will take any rash step. There is indeed much excitement; and tho [sic], the tendency of the system of measures of the government is to alienate the slave holding State[s] . . . I feel no fear, that the existing excitement will lead to any unconstitutional resistance." However, what might "grow out of it finally," he could not say. In his opinion, what might happen "depend[ed] much more on the majority than the minority."²⁶

In other words, Nullification was only a possibility in 1828, not a reality. Only as a last resort would South Carolina interpose its authority and nullify the tariff. Until then, she would do everything possible to effect tariff reform from within the political system. "Tho driven almost to despair [sic]," Calhoun declared in 1828, he nevertheless believed that "their [South Carolinians'] patriotick attachment to the Union remained . . . firm." The great mass of the people, he stated, "look only to constitutional remedies under their severe sufferings." Indeed, the only thing that would alienate them would be "a deliberate conviction, that it is the intention of a majority of our brethren to use the general powers of the Union. . . for their own benefit, without regard to the ruinous effects on the South."²⁷

In fact, the purpose behind the "Exposition and Protest" was not nullification but education. Like Jefferson and the Republicans in 1798-1799, Calhoun and the Nullifiers would use it to influence public opinion against the tariff. Hopefully, by stating their case at length and by fully exposing the ill-effects of the tariff on the South and West, the public at large would be convinced of the necessity of tariff reform. As Calhoun expressed it to William Campbell Preston, "all that can be done at present is an able report, fully exposing our wrongs, and unfolding our remedies." With that done, "thought will be put in motion. And as our cause rests in truth and the Constitution, it will gain daily, till it will finally prevail, if we act with wisdom and moderation." As for the "Exposition and Protest" itself, he said it would "present the question in a form which must attract universal attention, and cause a fuller inquiry into the real character of our political institutions, than any other that could be adopted which is precisely what we want. Our cause stands on principle and truth, and all we want is investigation."²⁸

At least that was the expectation. In actuality, however, publication of the "Exposition and Protest" had the very opposite effect. Instead of uniting opponents of the American System, it divided and alienated them, many of whom feared wrongly that the movement for Nullification would lead to disunion and civil war. "There is something horrible in the plans of the nullifiers," Edwin Starr declared in 1830. In his opinion, "if strenuous efforts [were] not made to disabuse the people, aspiring disunion will so far gain an ascendancy as to involve this state, if not all the Southern States, in anarchy & civil war." There is a widespread belief, said Tomlinson Fort, "that there is at work in South Carolina a powerful passion of disloyalty to the Government." Not only that, it was believed by many in Georgia that Nullification would result in "a virtual dissolution of the Union" and that "the suppression of the Tariff law in South Carolina would produce civil war."²⁹

As Calhoun and the other Nullifiers were to discover, it was one thing to talk about state interposition and quite another to implement it, especially in view of such widespread opposition to that course of action. Translated into more practical terms, this

meant securing the necessary votes in the state legislature to pass an ordinance declaring the tariff null and void. It also meant overcoming the opposition of the Unionists, who opposed nullification every step of the way. Prominent among these men were Benjamin F. Perry, Hugh Swinton Legaré, James L. Pettigru, Daniel Huger, Joel Roberts Poinsett, Thomas Grimke, and Thomas Bennett.³⁰

For these men, nullification was an abhorrent doctrine and as much a threat to the Union as the tariff issue itself. While objecting to the tariff and its economic effects upon South Carolina and the South, they could not accept the idea of state interposition (at least in 1828). According to Lilian Kibler, biographer of Benjamin Perry, they “were willing to do anything to get rid of the tariff by constitutional means, but condemned Nullification as revolution and warned the legislature against it.” In their view, “it would be a crime, unpardonable before God and man [to] violate and tear down the only true altar which has ever been erected to civil and religious liberty.”³¹

“It is very true,” stated David Rogerson Williams, “that we pronounced the tariff unconstitutional. I do so still.” Yet, he could “conceive of no course of resistance, of coercion (I mean) by the Legislature that [was] not as great a violation of the constitution as the tariff itself.” “There was,” he observed in another letter, “a difference as wide, as obvious, between the consideration that the Tariff laws have been adopted by a majority; and the confidence of relief from the majority.” In sum, he said, “so far however as the tariff is concerned . . . I prefer it to disunion.”³²

Sharing this view of the tariff and Nullification was Benjamin Perry, editor of the *Greenville Republican* (later the *Mountaineer*). “The present tariff,” he editorialized in 1829, “[was] an unjust, oppressive, and most iniquitous system of legislation, taking from the honest industry of agriculture and giving to the speculating capitalist of manufactures.” In a word, “it [was] a palpable fraud upon the Constitution.” Nevertheless, while “pledging with a constant and fixed determination of purpose,” to oppose the tariff, he was not “disposed, although the provocation be galling to our feelings, to adopt the ‘ultima ratio’.” “Is it preferable,” he asked, “to bear with the Tariff, or is it better to dissolve the Union. For his part, he preferred “suffering whilst evils are sufferable.”³³

Like other Unionists, Perry’s objection to nullification was based (1) on the hope that Congress would reduce tariff rates and (2) the belief that it was the Supreme Court’s responsibility to decide matters affecting federal-state relations. Referring to the “Exposition & Protest,” he wrote, “we cannot . . . concur in some of its conclusions with regard to the power of the several State Legislatures to control the proceedings of Congress.” In his opinion, one of the objectives of the convention that framed the Constitution was to create a government “that the States could not clog or check its proceedings.” For this reason, too, he noted, the “controlling power over this government” was placed in the judiciary. It was the judiciary that could declare laws unconstitutional or null and void and “keep both the State and General Governments within their respective ‘spheres’.”³⁴

On the national level, reaction to the threat of nullification was no better than it was in South Carolina. Speaking for many Americans, ex-President James Monroe said that he “sincerely regret[ted] the proceeding [of] the South. . . respecting the late law for the encouragement of manufactures.” In his opinion, “all movements which menace, or even suggest the least danger to it, [the Union] cannot fail to have an ill-effect.”

“Whatever shakes our system or even menaces it, will create a despondence throughout the civilized world.”³⁵

What bothered Monroe as well as others about the whole Nullification Movement was that it might lead to disunion. And that, he agreed, would be a fatal calamity for with it rivalry, restraints on intercourse would immediately ensue under partial confederacies or any other arrangements which could be formed, the pernicious consequences of which, may easily be conceived.” Those consequences he alluded to were “hostility and wars” not to mention the fact that “the Southern States would soon become a scene of the most frightful calamities, because their slaves would be excited to insurrection.” Even worse, in his opinion, “our free system of government would be overwhelmed.”³⁶

As far as he was concerned, it was better to live with the tariff. Writing to John C. Calhoun, Monroe said that “we sho[ul]d provoke no issue to shake the system, or which in the eyes of the world, or among ourselves, sho[ul]d make a change more satisfactory to the Southern States imputable to necessity, and the preservation of the Union.” As he told Calhoun in the same letter, “the best way will be, I think, to let the experiment operate, and appeal to [other motives in] case the result sho[ul]d correspond with the anticipation.”³⁷

To James Madison, “the strange doctrines and misconceptions” prevailing in South Carolina were much to be deplored and more so because they were “patronized by States- men of shining talents, and patriotic reputations.” Although he agreed that the Tariff was a source of conflict and that the South had a right to complain of its effects, he could not accept the idea of nullification. “A Tariff for the encouragement of Manufactures,” he wrote to Joseph C. Cabell, “may be abused by its excesses, but its impartiality, or by a noxious selection of its objects.” But “the abuse cannot be regarded as a breach of the fundamental compact, till it reaches a degree of oppression, so iniquitous and intolerable as to justify civil war, or disunion.”³⁸

As for the idea of Nullification, Madison had nothing but contempt for it (despite his involvement in the first Nullification Movement in America in Virginia in the 1790's). As he confided to Edward Everett, the doctrine of Nullification implied that a State can invalidate a law unless overruled by three-fourths of the States. “Can more be necessary to demonstrate the inadmissibility [sic] of such a doctrine than that it puts it in the power of the smallest fraction over $\frac{1}{4}$ of the United States—that is, of 7 States out of 24—to give the law and even the Const[itution] to 17 States.” While it is true “that the 7 might, in particular instances be right and the 17 wrong,” yet he confessed, “to establish a positive & permanent rule giving such a power to such a minority over such a majority, would overturn the first principle of free Gover[nmen]t and in practice necessarily overturn the Gov[ernmen]t itself.” In short, “Nullification [had] the effect of putting powder under the Constitution, and a match in the hand of every party, to blow them up at pleasure.”³⁹

Although the Constitution was a compact, he said, it did not follow that “the parties [could] rightfully renounce [its provisions]. . . more than any other part.” The error here, he believed, lay in the interpretation of the Constitution itself whose true nature was not fully understood. It was not, as some believed, either “a consolidated Government or. . . a confederated Gov[ernmen]t.” Rather it was “a mixture of both.” As he understood it, the Constitution was neither formed by the governments of the component States nor by a

majority of the people. It was in fact formed by the people in each of the States. As such, "it [could] not be altered or annulled at the will of the States individually."⁴⁰

Besides, he added, there were other remedies. "Should the provisions of the Constitution . . . be found not to secure the Gov[ernmen]t & rights of the States ag[ain]st usurpations & abuses on the part of the U[nited] S[tates] the final resort within the purview of the Const[itution] lies in an amendment of the Const[itution]." Should that fail and every other constitutional resort as well, then there was "but one resort, the last of all, an appeal . . . to original rights & the law of self-preservation." This, he stated, was "the ultima ratio under all Gov[ernmen]t . . . and it cannot be doubted that a single member of the Union in the extremity supposed. . . would have a right, as an extra & ultra constitutional right, to make the appeal."⁴¹

Confronted with the determined opposition of the Unionists, both in South Carolina and the nation at large, the Nullifiers undertook a campaign of their own to influence voters and thereby gain control of the legislature, a necessity if Nullification were to succeed. As they realized, one of the principal difficulties of their position and their advocacy of state interposition was the fact that many South Carolinians (and Americans) lacked a proper understanding of the Constitution and the leading principles upon which it was based. As John C. Calhoun admitted, "the great difficulty in determining whether a State has the right to defend her reserved powers against the General Government, or, in fact, any right at all. . . is to bring the public mind to realize plain historical facts, connected with the origin and formation of the Government." Although Calhoun found it hard to believe "that there should be the least uncertainty" about the Constitution and the intention of its framers, he was nevertheless surprised "judging by what is constantly heard and seen," that there were "few subjects on which the public mind is more confused." "Till they are fully understood," he confided to James Hamilton, Jr., "it is impossible that a correct and general view can be taken of the subject."⁴²

Toward that end, therefore, the Nullifiers set out to educate South Carolinians and Americans in general as to the true history of the origin and formation of the Constitution. Leading the way was James Hamilton, Jr., Governor of South Carolina and by far the most important figure in the grass roots organization of the Nullification movement. According to one of the opposition, Edwin P. Starr, Hamilton was "decidedly the most active and adroit leader of the Calhoun party" if not "the most wily manager in politics in the nation."⁴³

From the beginning, Starr informed his friend, Major Hamilton had been one of the most active leaders in favor of Nullification. As early as 1827, he had along with Hayne been engaged in "designs to dissolve the union." More recently, he added, they had tried to govern the South Carolina delegation in Congress and "previous to their leaving Washington for their homes, they adopted the plan of writing letters to friends in the several districts, arguing the gathering up of barbecue dinners in their favor." Their purpose in all of this was to inflame "the public mind by seditious speeches, so as to be able to carry the state with them in their violent measures and at the same time to silence complaints from those who would censure their proceedings."⁴⁴

Supporting Hamilton were other able and illustrious men such as Robert Y. Hayne, Thomas Cooper, George McDuffie, Robert Turnbull, James Henry Hammond, and Chancellor William Harper, all of whom kept up a steady tirade against the tariff and

submission and in favor of state interposition. Whatever the occasion, the Nullifiers were there in large numbers, delivering thunderous speeches and meeting with the people. If that were not enough, they also engaged in an extensive letter-writing-pamphlet campaign to spread their arguments further. Important in this respect was the States' Rights Association, a network of political clubs whose main function was to publish and distribute "among the people information in regard to the American system, the interests of the South, and its constitutional and confederate rights." As Benjamin Perry complained, "the 'State Rights' party are constantly engaged in getting up meetings, adopting-resolutions, forming societies, and distributing pamphlets and documents."⁴⁵

For all their activity, however, the basic message of the Nullifiers was the same. As was repeated again and again, the government created in 1787 was federal in nature, not national. It was in fact a union of the states, a federated league of independent sovereignties. "The great and leading principle," declared Calhoun, "is, that the General Government emanated from the people of the several States, forming distinct political communities, and acting in their separate and sovereign capacity."⁴⁶

Typical in this respect was the oration by John Winsmith before the State Rights and Free Trade Association of Spartanburg ca. 1831. "Under these circumstances [i.e., the evils and injustice of the American System]," he stated, "we are forced to inquire if our system of government is so defective as to furnish no remedy for the great evils of which we complain." For his part, he said, "I . . . have made that inquiry not in a light and superficial manner but with the deep and intense feelings of anxiety and solicitude which the importance of the subject was calculated to produce" and can report "with no ordinary feelings of satisfaction" that "our form of government furnishes us with a remedy which is safe peaceable and constitutional and when applied most effectual." That remedy, he declared, was "nullification" [or "state veto" or "the checking power of a state"] . . . the right which each state has to arrest an unconstitutional law of congress." As he conceived it, this was the "fundamental principle of our republican system and upon its establishment and preservation depends [sic] the existence of our government and the liberties of our country." Indeed, he added, "destroy this principle and you destroy forever our only means of security against the usurpations and encroachments of a corrupt congress."⁴⁷

In order to understand "this principle more fully," it was necessary, he said, to inquire into "the formation of our government and the relation which the states and general government bear to each other." In the beginning, he stated,

under the old British colonial system, the provinces which now form these united states were each independent of the others. They had no common head except the mother country. [E]ach had its own institutions, its own laws, and was as fully independent of the rest as South America or Canada. During the troubles which produced the revolutionary war, they saw the necessity of uniting together their strength for the purpose of throwing off the yoke of Great Britain. And they subsequently combined under articles of confederation. . .for mutual assistance. These articles of confederation were adhered to after the termination of the war in 1783 but it being found that

the existence of thirteen distinct but neighbouring [sic] sovereignties might be brought into collision with one another and with foreign powers, it was deemed advisable to alter the terms of the confederacy and to adopt articles for future association which should guard against the evils ascertained to have such a pernicious tendency. This alteration took place in 1787 by the adoption by the states of the present constitution which called into existence our federal government and conferred upon it certain specified powers deemed by the framers of the constitution to be fully adequate to the accomplishment of the object proposed to be attained reserving all other powers to the states respectively. The constitution then is a compact between the states acting in their separate and sovereign capacities and thus constituting parties to the compact. It would then gentlemen clearly affirm that the general government is not an original government possessing and expressing its own inherent powers but that it was created by the states for certain purposes and with certain definite powers all of which are enumerated in the constitution which was in-tended to restrict its operations: and beyond the limits of which its acts are wholly unauthorized. But it may be asked, how the true intent and meaning of the constitution is to be ascertained and if congress have not the right of judging finally. . .[?] I answer no for that is the language of Mr. Jefferson [and] would be to make its [Congress'] discretion and not the constitution the measure of its powers. . . .”⁴⁸

From these facts, Winsmith concluded “the general government can only be considered as the agent of the state governments called into existence and authorized by them,” and that “the constitution is the limits of its [the general government’s] powers,” it followed that “the states as the parties to the compact have alone to judge of its infractions, and as a necessary consequence . . . they have in cases of a deliberate, palpable, and dangerous exercise of their powers not granted by the said compact the right and are . . . duty bound to interpose for arresting the progress of the evil and for maintaining within their respective limits This,” he declared, was “the language of the Virginia resolutions. It is the language of republicanism, and it is the doctrine upon the establishment of which depends [sic] the peace, prosperity and happiness of our country. For if you deny to these states the right of protecting their reserved powers and give to the general government the right of finally determining for itself the extent of its powers do you not effectually destroy every check which the states can possibly exercise upon the usurpations of that government[?]” Indeed, destroy this right of state veto, this right of a state to arrest within its limits an unconstitutional law of congress and you destroy the very fundamental principle of state rights, the only lawful and constitutional means by which a state can resist encroachments upon her reserved rights, and prevent “a consolidation of all power in the general government.”⁴⁹

While emphasizing the legitimacy of state interposition, the Nullifiers also stressed its conservative nature. As they argued, nullification need not lead to disunion and civil war as charged by the Unionists. In the first place, nullification was not the same as secession. In contrast to secession which was a remedy of last resort and revolutionary in character, nullification was a peaceful remedy to be applied within the Union and against the general government when it violated its constitutional obligations. In effect, all a state did in declaring an unconstitutional law null and void was to arrest its operation until its constitutionality could be determined by the states themselves as parties to the compact. Hopefully, the other states, impressed by the gravity of the situation, and forced to study the issue at hand, would give it much deeper thought and consideration and come up with a solution satisfactory to all concerned.⁵⁰

In the second place, Nullifiers argued, the general government could not coerce or force a state to submit to unjust or unconstitutional laws. "We are told," declared John Winsmith, "that if a state should on sovereign capacity arrest an unconstitutional law of Congress, it would produce disunion and war." Our "ears have been constantly assailed of late by the incessant cry of bloodshed and carnage." Yet, he added, "what authority has the president or any department of the government to force a state into submission to an unconstitutional law of Congress after that law has been legally arrested by the state[?]" In his opinion, "it [could] not be done." Besides, South Carolina was not violating any of the laws that the president was bound to uphold. "The state only claims," he insisted, "the right to arrest the acts of Congress which are unauthorized by the Constitution and which in reality are not laws."⁵¹

As to the charge that nullification placed political power in the hands of the minority and not the majority where it belonged, the Nullifiers stated that such was not the case. As Calhoun reminded James Hamilton, Jr., nullification did not mean that the minority would rule or that it could change the Constitution at will. In declaring a law null and void, he wrote, a State did not "resume delegated powers." All it did was "to prevent the reserved [powers] from being assumed by the Government." In this sense, it was a means of protecting the rights of the minority against usurpation by an absolute majority. According to John Winsmith, "the state when it claims the right to arrest an unconstitutional act of congress does not pretend that it has the right to make laws for the other states. It only claims the right of protecting it self against the operation of laws which it judges to be unconstitutional untill [sic] the question can be decided 5 61 by a convention of the states which is the proper authority to determine it."⁵²

One of the important features of the Nullifiers' campaign was the public endorsement of state interposition by John C. Calhoun. Strangely enough, the author of the "Exposition" had not yet declared his sentiments publicly. Heretofore, he had worked behind the scenes, preferring secrecy to advocacy (as Jefferson had in the 1790's during the first Nullification movement in Virginia). The "Exposition," for example, had been written anonymously with only a few close friends knowing the real identity of its author. As Vice-President, Calhoun no doubt realized that it would not sit well with Americans that such a high-placed official was advocating resistance to a measure of the federal government. No doubt, too, he also felt that it was not the Vice-President's duty to actively oppose the administration.⁵³

Whatever the reason for his previous reluctance to speak out, Calhoun in the summer of 1831 announced his belief in nullification or as he preferred to call it, "state

interposition.” As he explained it to Samuel D. Ingham, matters had been brought to a crisis. “I must meet it promptly and manfully.” Although he had “intended to wait for Mr. Cranford’s movement on me, so as to have the great advantage of acting on the defensive,” events would “not permit delay.” As such, he decided it was “better [to] come out in a neighboring print” and make his sentiments known.” Hopefully, by declaring in favor of state interposition, he would not only end all speculation about his position, but also help the cause of nullification which he considered essential to the preservation of the Union and the principles of 1776.⁵⁴

The announcement itself appeared in the Pendleton, South Carolina, *Messenger* of July 26, 1831, and bore the cumbersome title of an “Address on the Relation which the States and General Government bear to Each Other.” Here is what Calhoun said or at least the essence of his remarks. “The great and leading principle is,” he stated, “that the General Government emanated from the people of the several States, forming distinct political communities, and acting in their separate and sovereign capacity.” Since the Constitution was a compact in which the states retained their full sovereignty, it followed that the states as parties to the compact had the right to judge any infractions of that agreement on the part of the general government. “This right of state interposition,” he declared, “be it called what it may. . . I conceive to be the fundamental principle of our system, resting on facts as certain as our revolution itself. . . and I firmly believe that on its recognition depend the stability and safety of our political institutions.” “Far from [being] anarchical or revolutionary,” he added with emphasis, it was the great instrument of preserving republican liberty.”⁵⁵

Calhoun’s public endorsement of state interposition represented an important turning point in the Nullification movement. After all, here was the Vice-President supporting the “South Carolina doctrine.” Surely, that must mean something to the people. And it did. As Edwin Starr described it, the public announcement had a profound impact upon the people of South Carolina. “These men,” he wrote, “from the excellence of their private characters, their talents, and public stations, have a great influence with the people. Already “one half if not most of the people of this state,” he remarked, “appear ready to go with them to any extreme.”⁵⁶

It should not be supposed, however, that the Nullifiers had it all their own way. Far from rolling over and playing dead, the Unionists waged a campaign of their own to combat the movement for Nullification. Like the Nullifiers themselves, the Unionists also made extensive use of pamphlets and public appearances to cultivate a proper attitude among the people. As Edwin Starr reported in 1831, “to counteract the designs of the wicked . . . it is contemplated to publish in the form of tracts such views of the political questions which now agitate our whole Southern country” and which “will, in time, raise the people into a proper sense of their danger and if possible save the union from dissolution and the people from ruin.” Toward that end, he was pleased to announce, “Col. Drayton’s oration before the Union Party of this city on the 4th of July together with the speeches, letters, toasts, and other proceedings of that party has [sic] been printed and a portion of the copies allotted for gratuitous distribution.”⁵⁷

That the Unionist campaign was effective is demonstrated by the remarks of S. H. Townes, a Nullifier. “Though one should rise from the dead,” he noted, “and preach up the soundness of Nullification they would not believe.” In fact, he was sorry “to perceive that this [was] the prevailing sentiment even with the prominent men of this Dist[ri]ct of

our own party.” As to their general reaction, he said “it [was] all fudge.” In another letter, he stated that “everything is in such an unsettled state.” On a note of optimism, however, he did say that Nullification was gaining converts daily.⁵⁸

The last weeks of the campaign were hectic to say the least, even violent, as both sides scurried about for votes. “In Charleston armed mobs roamed the streets almost every night; bloody fights and destructive riots were commonplace.” On one occasion, Turner Bynum, a Nullifier was shot and killed in a duel by Benjamin Perry, editor of the *Greenville Mountaineer* and a leading Unionist. Bynum it appears said some rather nasty things about Perry in *The Sentinel* and the latter challenged him to a duel. “We are at this moment in a state of excitement little short of phrensy [sic], and do not suffer surprise to hear of collision and bloodshed in our streets,” William Gilmore Simms wrote to James Lawson. “We have learned in the last two years,” he added, “to hate one another with a religious zeal.”⁵⁹

Neither side was certain of the outcome. At best, it was a “touch and go” situation. “If we break their ticket in town,” declared James Petigru, “the convention is lost; if we do not, it is perfectly uncertain.” On the other side, James Hamilton told Waddy Thompson that “we are fighting a tremendous battle here [Charleston].” At the same time, he announced his plans to visit Columbia and Greenville no doubt to check on the political situation there. In the end, however, the Nullifiers were victorious. “When the votes were counted after the legislative election on October 8 and 9, 1832, the Nullifiers had 25,000 votes to 17,000 for the Unionists, less than a two-thirds majority.”⁶⁰

Now in control of the state legislature, the Nullifiers moved to implement Nullification. In a proclamation prepared in advance, Governor James Hamilton called for a special session of the legislature to meet in Columbia on October 22. The legislature itself, acting upon Hamilton’s request for immediate action, passed a bill authorizing a convention of the people to decide for or against nullification. Elections for delegates to the convention were to be held on November 12, with the delegates themselves to convene one week later on November 19. Five days later, on November 24, the convention approved the Ordinance of Nullification which declared the tariffs of 1828 and 1832 null and void in South Carolina as of the following February 1.⁶¹

For the Unionists, it was a bitter pill to swallow. As far as they were concerned, the end of the world had come for surely with Nullification, which was now a foregone conclusion, the country would be convulsed in war. As Charles Fraser expressed it in 1833, “the present period is in my opinion one of more decided gloom than has yet occurred since the commencement of the war of the parties.” Predicting the worse, he said that “the firebrand has been thrown into the halls of Congress and threatens to light up a conflagration I hope may not prove the funeral pile of our institutions.”⁶²

The question that needs to be raised here, especially in view of the initial hostile reaction to nullification, is how did the nullifiers succeed? How were they able to convince a majority of citizens that their course was right and proper? The usual explanation for this turn of events, and the one offered by William W. Freehling, is that the Nullifiers, who were better organized than their opponents and knew more about electioneering tactics, persuaded an otherwise unwilling electorate to support nullification through an artfully conducted propaganda campaign. In effect, they overwhelmed the Unionists who, by contrast, were weak, divided, and disorganized and not much given to meeting with the people.⁶³

While it is true that the Nullifiers were better organized and waged a more effective political campaign, the answer to their success is to be found elsewhere, namely in the nature of the opposition itself. One might suggest that the opposition to nullification was not based on any theoretical objection to that mode of redress. In fact, and with the exception of a few die-hard Unionists, the majority of South Carolinians accepted the doctrine of state interposition which they believed was a necessary corollary to their belief in the rights of the states. As John Winsmith declared, "it [state interposition] is the political faith which I have been taught from my infancy." Together with states' rights "they are the principles of Liberty and Justice." In Benjamin F. Taylor's opinion, nullification was "an inherent right inseparable from a sovereign state." "This," he added, "is the true doctrine & is Mr. Jefferson's 'right to resist oppression.' About this there can be no hair splitting."⁶⁴

That South Carolinians firmly believed both in states' rights and state interposition and that they associated them with the principles of 1776 can be seen in the following letter of General Thomas Sumter. Written at the height of the Nullification controversy, the purpose of the letter was to assure his son that he was not turning his back on the principles of the American Revolution. As one of the heroes of the War for American Independence, of course, Sumter knew first hand about the its leading principles.⁶⁵

Contrary to your apprehension you will see that few Carolinians will be found, even among my political enemies, if I still have any, who will not be ashamed to pretend to believe that I have knowingly turned my coat; that is, put off the republican character, which it cost me some toil to earn and which I still wear with some pride. They all know, as their fathers or grandfathers knew, that in this country, republicanism, in its true sense, was intended to mean, that its professors had both the right and the will to resist effectually unauthorized power, which in every shape mean usurpation. If any one of the present generation have forgotten this wholesome truth, let them before they attempt to seduce or terrify me, read carefully the Declaration of Independence, the debates of the ratification of the Federal Constitution, the Constitution itself & its amendments, without which it would not have existed five years, the Virginia and Kentucky Resolutions adopted in the reign of terror, the proceedings and protest of their own and other Legislatures on the fraudulent Tariff of 1828, and last, because latest, the second officer of the General Government [John C. Calhoun] of the principles, the policy, the powers and limitations ascribed in the Constitution to the Federal authority by the state authorities when they formed the Constitution —and of the old Confederation. . . .

In other words the Nullifiers were not a minority who imposed their so-called “new” doctrine upon an unwilling public. There was in fact a consensus on the broad principles involved. The only issue at stake concerned the timing of Nullification, that is, not if it should take place, but when. “The time when to apply the right [of state interposition],” said Benjamin F. Taylor, is the only difficulty.” “With perhaps a few exceptions,” declared Calhoun in 1830, “all acknowledge the unconstitutional, the unequal and oppressive burden imposed by the Tariff.” Yet, “many, even of those who are the devoted friends of State rights, and who doubt not, that a State has the right to interpose her sovereignty, in order to protect her citizens against the encroachments of the General Government, believe it to be inexpedient to act at this time. They hope for redress from the General Government.”⁶⁶

Nor should it be supposed that the Nullifiers acted hastily or precipitously in declaring the tariffs of 1828 and 1832 null and void. Far from being an irrational act by irresponsible men, nullification was a rational decision made by responsible men who discussed the issues thoroughly before deciding upon a course of action. After all, it did take four years from the publication of the “Exposition and Protest” for South Carolina to act. As the Nullification Convention declared in its “Address to the People of South Carolina,” “this subject you have well considered.” Our complaints have “arisen from no sudden excitement, but [have] been gradually formed by the free and temperate discussions of the Press.”⁶⁷

If anything, the Nullifiers pursued a course of moderation. From the beginning, in fact, Calhoun urged caution lest the whole movement itself should be jeopardized. “All moves aiming at reform and revolution as ours is,” he confided to William Campbell Preston, “must, to be successful, be characterized by great respect for the opinion of others.” In his opinion, there had been “heretofore a want of caution . . . which has exposed us to great danger, and which renders greater caution more necessary.” Only “if we act with wisdom and caution,” he warned, would their cause prevail.⁶⁸

In keeping with their policy of caution and moderation, the Nullifiers also adopted a “wait and see” attitude with respect to the tariff. Since the defeat of John Quincy Adams was almost a certainty in the election of 1828, Calhoun thought it best to abstain for the present from applying the remedy of state interposition. “It would seem but a reasonable confidence in the new administration,” he told William, Campbell Preston, “to afford time to see what its wisdom and virtue would effect.” Hopefully, he added, “such measures as may produce harmony of opinion among the oppressed States” would be adopted.⁶⁹

For a while at least, the Nullifiers’ hopes for tariff reform were sustained. In his annual message for 1831, for example, President Jackson hinted at the possibility of tariff reform; especially with the favorable prospect that the national debt would be paid shortly. Meanwhile, in Congress, several new tariff bills were introduced, all of which seemed to point to tariff reform. The threat of nullification, it seemed, was almost over before it really started. By the summer of 1832, however, the situation had changed dramatically. South Carolina was again a hotbed of revolution.⁷⁰

The cause of all this commotion was the Tariff of 1832 which Congress approved in June of that year. Instead of lowering tariff duties, Congress raised them. To South Carolinians, who had supported Andrew Jackson in 1828 on the basis that he would do

something about the tariff, this action was especially galling. As a Southerner elected with Southern votes, they thought, he would certainly favor tariff reduction. Commenting on the election of 1828, Calhoun said that “the people [had] indeed achieved a great victory, which I hope may be used as to result in the lasting prosperity of the country.” “In relation to the tariff,” he informed Patrick Noble, “I think there is a lowering of tone on the part of the Tariff States, and I am not altogether without hope.”⁷¹

By 1832, however, much of this optimism had faded. Writing to Stephen D. Miller in 1831, Robert Y. Hayne said that “as to the Tariff we have not the smallest prospect of relief.” Not only that, he declared, “the Tariff party have now become bold enough to refuse even to consider propositions to modify the [protective] system.” “On the whole,” Calhoun informed Francis W. Pickens on March 2, 1832, “I fear we have nothing to hope from the action of the General Government, and that we must rely on the exercise of our reserved rights for redress.” Four months later, Calhoun wrote to Samuel Ingham that “we have done nothing that will give satisfaction to the tariff . . . I now believe it certain, that the controversy cannot be terminated through the action of the Gen[era]l Gov[ernmen]t.”⁷²

Only with the failure of tariff reform, then, did South Carolina move to nullify the tariffs of 1828 and 1832. Only then did its leaders embark on their public campaign to convince the voters of South Carolina that nullification was the only remedy. Until then, everything possible was attempted to get the North to reduce duties to the point that they would be for revenue only and not for protection. When that effort failed, they felt that they had no other choice. In the words of the Nullification convention, “the time has come when the State must either adopt a decisive course of action, or we must at once abandon the contest. We cannot again petition, it would be idle to remonstrate, and degrading to protest.” Indeed, “having exhausted every other means of redress in vain, it is her right, and that it has now become her solemn duty, to interpose for arresting the evils within her own limits . . .”⁷³

As much as South Carolina would have liked it, their action in 1832 declaring the tariffs of 1828 and 1832 null and void did not mean that the Nullification Controversy was over. If anything, it represented the beginning of a whole new dispute. Instead of the tariff, however, this time around the debate centered on the crucial question of the nature of the union and whether or not a state could be coerced by the federal government. In many respects, this second phase of the Nullification Controversy was even more important than nullification itself not only because it brought the country to the brink of civil war, but also because it revealed for the first time a new interpretation of the Union on the part of the North that conflicted with the original view of the Founding Fathers and of the South which continued to adhere to the principles of “1776 and 1787.”⁷⁴

The issue itself was joined by President Andrew Jackson who stood ready to use force against South Carolina. Jackson of course abhorred nullification as much as he hated Calhoun and anything he could do to quash it was fine with him. In fact he had already put in motion plans for the collection of the revenue in Charleston and other South Carolina ports. On October 16, 1832, he sent secret orders to the collector of the port of Charleston detailing the steps to be taken to enforce the tariff law. A few days later, Jackson ordered General Winfield Scott to Charleston with the ostensible purpose “of superintending the safety of the ports in that vicinity.” At the same time, the President

alerted the naval and military forces of the United States to the possibility of hostile action.⁷⁵

These active preparations were followed in December by a special proclamation to the effect that if the Nullifiers persisted in their efforts to obstruct the operation of the tariff laws and the collection of revenue, the President would have to employ force to see that the laws were executed. "It is the intent of this instrument [the Proclamation]," he declared, "to proclaim not only that the duty imposed on me by the Constitution, 'to take care that the laws be faithfully executed,' shall be performed but, to warn the citizens of South Carolina . . . of the danger they will incur by obedience to the illegal and disorganizing Ordinance of the Convention." "There is yet time," he urged, "to show that the descendants of the Pinckneys, the Sumpters [sic], the Rutledges, and of the thousand other names which adorn the pages of your revolutionary history, will not abandon that Union, to support which, so many of them fought, and bled, and died." In conclusion, Jackson adjured them "to retrace your steps. Snatch from the archives of your State the disorganizing edict of its Convention." In sum, rejoin the Union.⁷⁶

Jackson's Proclamation only incensed South Carolinians who believed that they were being threatened with military coercion. In reply, Governor Hayne called the President's doctrines "dangerous and pernicious." Not only did they tend "to uproot the very foundation of our political system, annihilate the rights of the States, and utterly destroy the liberties of the citizen," but, worse, they contemplated "a great, consolidated empire, one and indivisible, the worst of all despotisms." South Carolina, he said, would not be coerced. "We will stand upon the soil of Carolina and maintain the sovereign authority of the State, or be buried beneath its ruins."⁷⁷

Jackson's response was equally forceful. After learning of Governor Hayne's proclamation, he requested from Congress on January 16, 1833, additional authority to meet the crisis in South Carolina. In particular, he asked permission to close the ports of entry, and in relation to the collection of the revenue, to use United States ships as floating custom houses, to collect duties in cash, and to establish jails. In this way, "if Carolinians dared to go on with nullification, they would have . . . to cross harbor waters and invade military installations." More important, the Nullifiers and not the Federal Government would be the aggressors. With respect to military aid, the President requested the authority to call out the various militias and to use national military forces as well. All of these requests were granted by Congress in the so-called Force Bill which passed in February, 1833.⁷⁸

Behind all this maneuvering, and what really made Jackson's Proclamation and the Force Bill so significant (and alarming), lay a new concept of the union as absolute. For the first time, the idea was expressed that the Union was indissoluble, that the sum was greater than the parts. No longer a voluntary compact, resting on mutual consent and affection, the Union, it was stated, was perpetual. As Jackson had declared in his famous toast at a Jefferson Day dinner: "The Federal Union: It must be preserved."⁷⁹

In Jackson's opinion, the Constitution of 1787 had formed "a Government, not a league It is a Government in which all the people are represented, which operates directly on the people individually, not upon the States." Although the states "retained all the power they did not grant," they did not possess any right to secede" for in parting with some of their powers they thereby became "a single nation." Secession, he continued, only destroyed "the unity of the nation, and any injury to that unity is not only

a breach which would result from the contravention of a compact, but it is an offense against the whole Union.” Indeed, “to say that any State may at pleasure secede from the Union, is to say that the United States are not a nation.”⁸⁰

In fact, Jackson could not conceive of any other view of the Union, especially one which countenanced the absurd idea of nullification. “Were we mistaken, my countrymen,” he asked, “in attaching this importance to the Constitution of our country?”

Was our devotion paid to the wretched, inefficient clumsy contrivance, which this new doctrine would make it? Did we pledge ourselves to the support of an airy nothing—a bubble that must be blown away at the first breath of disaffection? Was this self-destructing, visionary theory, the work of profound statesmen, the exalted patriots, to whom the task of constitutional reform was entrusted? Did the name of Washington sanction, did the States deliberately ratify such an anomaly in the history of fundamental legislation?

Jackson’s answer of course was “No.” “We were not mistaken,” he exclaimed emphatically. “The letter of this great instrument is free from this radical fault.” Not only that, “its language directly contradicts the imputation: its spirit—its evident intent—contradicts it. No; we did not err! Our Constitution does not contain the absurdity of giving power to make laws, and another power to resist them.”⁸¹

The Founding Fathers, those patriots and sages, “whose memory will always be revered,” gave “us a practical, and, as they hoped, a permanent constitutional compact.” They did not affix their names “to so palpable an absurdity.” Nor did the States when they severally ratified it, do so under the impression that a veto on the laws of the United States was reserved to them. . . .” Nowhere in the debates of the Convention can it be found a motion or speech made “to correct the explicit supremacy given the laws of the Union over those of the States—or to show that implication, as is not contended, could defeat it.” If in fact, “this doctrine of state interposition had been established at an earlier day, the Union would have been dissolved in its infancy.”⁸² (On this point, Jackson was absolutely wrong. In the state ratification debates published by Jonathan Elliot between 1827 and 1836 many quotes can be found about the nature of the government being federal rather than national and states and their reserved rights being critical to the former including the notion of a veto in keeping with the American system of checks and balances. In Madison’s *Notes of Debates*, unfortunately not published until 1840, references to same can likewise be found. In addition, the word “national” was dropped as a term to be used to describe the government to be. (See volume one of *Nullification, A Constitutional History, 1776-1833*.)

Actually, it was not Jackson who first expressed this new view of the Union as absolute but Daniel Webster in his famous debate with Robert Y. Hayne in 1830. “The great question is,” he asked in reference to the Carolina doctrine of Nullification, “whose prerogative it is to decide on the constitutionality, or unconstitutionality of the laws?” Although it was no doctrine of his, “that unconstitutional laws bind the people,” he could not admit the right of a State “to interfere, and annul the laws of Congress.” To do so would be to accept the idea that the government was but the agent of the states, “of four and twenty masters, of different wills and purposes . . . and bound to obey all.”⁸³ (Webster, like so many other nationalist-minded politicians, confused the issues of

Nullification and secession, believing them to be one and the same thing and equally disunionist in intent. Also, while any illegal act was commonly known to be “null and void,” Nullification was not about negating anything at all. By invoking its veto to declare the tariff as it developed after 1816 beyond the purpose of raising revenue, South Carolina merely called into question the nature of the union and that legislation be just for all sections. Since an original intention had been superseded, Congress had thereby exceeded its authority under the powers, few and specific, delegated to it by the Constitution. In this case, South Carolina was preserving the “line of demarcation” made in 1787-1788 between powers reserved and delegated without which the government in America would be national and unlimited rather than federal and limited.)

This, he declared, was an absurdity not only in its practical operation but also because it was based no less on “a misconception as to the origin of this Government and its true character.” As he viewed it, “it [was]. . .the People’s Constitution, the People’s Government; made for the People; made by the People; and answerable to the People.” It was, he said, the people who “have declared that this Constitution shall be the Supreme Law. We must either admit this proposition, or dispute the authority.” Indeed, “if there be no power to settle such question, independently of either of the States, is not the whole Union a rope of sand? Are we not thrown back again, precisely, upon the old Confederation?”⁸⁴ (Again Webster had it all wrong. The Virginia Plan was rejected in the Federal Convention precisely because it was based upon proportional representation and as such meant a direct relationship between the national government and the people. A federal government, by contrast, had to be based on the members composing it, i. e., the states. In this case, Webster along with many others including Jackson and James Madison accused Calhoun and the Nullifiers of reverting back to the old Confederation, which was not true at all. By the Great Compromise of July 16, 1787, states once again became part of the proposed government to be with their representation in the Senate. During the ratification debates, when the distinction was at last made by anti-Federalists between rights delegated and reserved, the states assumed another important role not as independent and sovereign entities but as the protectors of reserved rights and as the basis of the real not Madisonian extended republic.)

To Southerners, this frankly nationalistic view of the Union was anathema not only because it pointed toward “a great, consolidated empire, one and indivisible,” but also because it flew in the face of plain political truth, i. e., what the Founding Fathers intended in 1787-1788. As Calhoun declared in his speech against the Force Bill, we are told the bill ought to pass “because the law must be enforced. The law must be enforced. The imperial edict must be executed!” It was this “very argument,” he stated, “which impelled Lord North and his administration to that mad career which forever separated us from the British crown.” Yet, “in the same spirit,” we are told that the Union must be preserved, “without regard to means,” by force. “Does any man in his senses believe that this beautiful structure. . .produced by the joint consent of all---can be preserved by force? Its very introduction will be certain destruction to this Federal Union.”⁸⁵

As to the Force Bill itself, Calhoun objected to it because it was based on “the assumption, on which only it could be supported. . .that this Government had the final and conclusive right, in the last resort, to judge of the extent of its powers. It was also assumed “that, to execute its decision, it had the right to use all the means of the country, civil, military, and fiscal, not only against the individuals but against the States

themselves.” Indeed, throughout the whole controversy, the general government has “assumed the right to trample upon the authority of [the constitutional convention], and to look beyond the State to the individuals who compose it; not as forming a political community, but as a mere mass of isolated individuals, without political character or authority.”⁸⁶

This unlimited right of judging as to its powers,” he asserted, “not only destroys . . . all distinction between constitutional and unconstitutional acts, but merges in this Government the very existence of the separate government of the States, by reducing them from that independent and distinctive existence, as co-governments . . . to mere subordinate and independent bodies.” “Who does not see that, to divide power, and to give one of the parties the exclusive right to determine what share belongs to him, is to annihilate the division [of powers]. . . ?” In his opinion, nothing could be more fatal “to the liberty and happiness of the States.”⁸⁷

“Is an act, which assumes such powers for this Government,” he asked, “consistent with the nature and character of our political institutions?” It was not. In looking at our institutions, he reminded his Senatorial colleagues, “we are struck, on the first view, with the number and complexity of the parts—with the division, classification, and organization, which pervade every part of the system.” Unlike other countries, Calhoun noted historically and quite accurately, America had “a system of governments” each divided into legislative, executive, and judicial departments.

As each government is made up of—departments, organized into one, the system is made up of this Government, and the State governments. . . organized into one system. So, too, as the powers which constitute the respective governments are divided and organized into departments, in like manner their powers are classed into two distinct divisions: the one containing powers local and peculiar in their character The other containing those which are more general and comprehensive, and which can be best exercised in some uniform mode through a common government.⁸⁸

It was this “division of power into two parts, with distinct and independent governments” that “constitutes the great, striking and peculiar character of our system . . . and . . . its great conservative principle.” “As so many breakwaters,” they serve “to arrest the angry waves of power, impelled by avarice and ambition.” Moreover, “it [was] this important division which mainly gives that expansive character to our institutions, by means of which they have the capacity of being spread over the vast extent of our country, without exposing us on the one side to the danger of disunion, or, on the other, to the loss of liberty.”⁸⁹

Now, more than ever before, they were determined to resist. In South Carolina, active preparations were being made to defend against possible federal invasion. In December, shortly after President Jackson’s Proclamation, Governor Hayne issued orders to raise a force of 10,000 men including a troop of “Mounted Minute Men” who would “be always prepared to proceed in the shortest time possible to any place which may be designated.” By January, volunteer companies were being formed, drilled, and instructed

across the state. Although supplies of military equipment were short, the companies were informed that everything was being done to procure the necessary items of war.⁹⁰

For a while, there was the actual threat of civil war as both sides, believing in the justness of their respective causes, prepared for the worst. As Benjamin Watkins Leigh informed the Governor of Virginia, "if Mr. Wilkins' bill shall pass with the features of coercion in it, and if no bill relaxing the protective system be enacted, I apprehend that this State [South Carolina] will not recede an inch, or even pause." While "the State rights party are sincerely desirous to see harmony restored, and the Union preserved. . . they are not afraid to fight, and fight they will to the bitter end, if the president shall make war, or threaten war upon them." Expressing a similar sentiment was James Hamilton, Jr.: "If . . . Verplanck's [bill] is rejected, fight we must The conflict will not find us unprepared."⁹¹

Fortunately for all concerned, hostilities were avoided when a compromise tariff bill was passed in early 1833. Introduced by Henry Clay, the bill provided for a gradual reduction of the tariff over a ten year period until duties were lowered to a maximum of twenty per cent. Although the Compromise Tariff of 1833 was not what either side wanted, all agreed to support it. With that, the crisis was over. As Benjamin Perry exclaimed, "the Union is safe, and our country is triumphant." For her part, South Carolina again met in convention on March 11-15, 1833 and repealed the Ordinance of Nullification it had passed in November.⁹²

In the sense that tariff reform was achieved, the Nullification Movement can be judged a success. Although it was not exactly what Southerners and South Carolinians wanted, it did fulfill three important expectations. In the first place, the new tariff replaced specific duties and mini- mums with a system of ad valorem duties. Under the former "tyrannical provisions," it was noted, "duties rated nominally at 25 per cent. were, in many cases, raised to upwards of 100 per cent." In the second place, the reductions achieved meant that duties would eventually be brought down to the revenue standard. Above all, it meant "that no more money shall be raised than shall be necessary to an economical administration of the Government."⁹³

For the Nullifiers, "the reduction of the revenue to the amount 'necessary to the economical administration of the government,' [was] one of the happiest reforms which could take place." In their view, such a reduction "would arrest the progress of corruption, limit the exercise of Executive patronage and power, restore the independence of the States, and put an end to all these questions of disputed power." Indeed, "it was this aspect of the question which has reconciled us to the provisions of the new Bill."⁹⁴

If the Nullifiers achieved tariff reform, their sin qua non, they also accomplished something else more important, namely, a renewed respect for and commitment to the principles of republicanism. In standing up alone to the threats of consolidation and corruption, South Carolina not only awakened the people to the dangerous tendencies in American politics and society and aroused them to action, but, in the process, reminded them of the true principles upon which the Republic was based. Hereafter, the people would not take kindly to assaults on their liberty by executive or legislative usurpation. Nor would they allow the ruinous policies of the American System to be repeated again.⁹⁵

As one Virginian wrote, "the country is I think on the eve of a mighty revolution." Jackson "has deceived the men who elevated him and awakened the Federalists from their long repose & tis time for the States Right man to buckle on his armor for the fight."

Invoking the memory of the American Revolution, he said, “our ancestors were a band of brothers. They fought and bled for the noble inheritance we enjoy & bequeathed it unimpaired to us. 'Tis our duty to preserve it.” As it was to them and is with us still, “liberty is a blessing without which government becomes a curse It should be valued before the Union.” Hopefully, he added, “the whole South will rise in the majesty of their strength, & say to. . . unfeeling & relentless oppression, our ancestors braved the bayonets of George 3rd. We bid defiance to yours.”⁹⁶

Indeed, it would not be incorrect to say that the period 1833-1848 (one of the most neglected chapters in American history) was characterized by a conscious effort to turn back the American System and to restore the nation to its true republican principles. As Calhoun described it to some of his Northern friends in 1840, “a reaction has not only commenced, but made great progress towards freeing the Government from the last remnants of a policy, so dangerous and pernicious [as the American System].” In his opinion, the “Federal consolidation school of politics” was on the run. “The great question is, shall the federal system of politics be utterly overthrown, and the opposite [or republican system] substituted for the future?” In short, “which shall prevail, the school of Jefferson or Hamilton?”⁹⁷

If this assertion seems a bit exaggerated, it should be remembered that most Americans were not that well-informed about the Constitution and the convention that produced it. Since the convention itself had been conducted in secret, the inner workings of that body remained hidden to view until the 1820's and after. Not until 1819 was the journal of the convention itself published. This fragmentary record (containing only motions and votes, but no speeches) was supplemented in 1821 by the publication of William Yates' sparse notes. Yet to be published were James Madison's extensive notes and Jonathan Elliott's multi-volume compilation of the state debates on ratification. These appeared, respectively, in 1840 and 1836. Other accounts of the proceedings of the convention by delegates did not appear until after 1865. Then, in rapid succession there appeared the notes of Rufus King (1894), William Pierce (1898), William Paterson (1904), Alexander Hamilton (1905), James McHenry (1906), and John Lansing, Jr. (1939).⁹⁸

Under these circumstances, and given the dearth of detailed knowledge of the proceedings of the convention, it was not surprising that many Americans were shocked at the idea of nullification. Nor was it surprising that they assumed it to be a new doctrine and one associated peculiarly with Calhoun and South Carolina. In their view, it was inconceivable that the Founding Fathers could ever have sanctioned such a belief, especially one that made the Union “a rope of sand.” In retrospect, what is so significant about the whole Nullification controversy is not necessarily South Carolina's espousal of state interposition, but the North's denial of that doctrine. Indeed, the hostile reaction to nullification was not only a recognition of Americans' lack of knowledge about their government and its leading principles, but also the emergence of a totally new theory of the Union and the Constitution.⁹⁹

Nevertheless, with more extensive research into the records of the convention as well as the writings of the Founding Fathers themselves, brought about by the need either to justify or oppose the popular issues of the day, it became more and more evident that Calhoun and Southerners were in fact speaking the truth about the Constitution, and the nature of the Union. Nullification was not a new and alien doctrine. Rather it was merely

a restatement of the principles of 1798, proof of which came in 1821 when Jefferson admitted to being the author of the Kentucky Resolution of 1798 (which, by the way, contained the word “nullify” in the original draft). As John C. Calhoun wrote to Bolling Hall on April 3, 1832, “most fortunately, at this critical moment, the recorded opinions of Mr. Jefferson, the Republican Patriarch, have come to light on the all important question of the relations between the States & the General Government.” As a result, he added, “there can now be no longer a shadow of doubt, that what is called the Carolina doctrines are also the Jeffersonian, which must effectually put down the charge, that they are . . . got up for the purpose of political aggrandizement by ambitious statesmen.” Indeed, he noted, “in comparing Mr. Jefferson’s views with my own, I feel that such is their striking coincidence that, I should have been exposed to the charge of plagiarism [sic], were it supposed possible, that I could have previously known what his were.”¹⁰⁰

More important, this historical research and the recognition of the essential comparability between Southern views and those of the Founding Fathers caused many Americans to change their minds about the origins of the Constitution and nature of the union. As the editor of the *Roanoke Advocate* of Halifax, North Carolina stated in 1833, “we have come before the public to correct an error into which we have betrayed them.” On September 13, 1831, he noted, we denied the statement by the politicians of South Carolina that Mr. Jefferson was not only the friend but the father of the doctrine of Nullification. Yet, among Jefferson’s papers, he observed, there was found a small manuscript book containing two copies in his own handwriting (authenticated by Thomas Jefferson Randolph, his grandson). In Jefferson’s words:

But where the powers are assumed which have not been
Delegated, a *nullification* of the act is the rightful remedy;
that every state has a natural right, in cases not within the
compact (causes *non foederis*) to nullify of their own
authority, all assumptions of power by others *within their*
limits; that without this right they would be under the
dominion, absolute and unlimited, of whoever might exercise
this right of judgment for them.

In retrospect, he concluded, it appears that the right of state interposition, “which is a corollary, flowing, necessarily, from the absence of a constitutional arbiter to decide cases of disputed power,” has the highest authority for its support. Hopefully, by publishing Jefferson’s views and showing conclusively his sanction of nullification, it would soften “the asperity of those who, from never having examined constitutional questions, have embraced the idea that States have no rights, and the power of the Federal Government no limits.”¹⁰¹

This revival of republicanism is further illustrated in the public reaction to Andrew Jackson’s second term as President. Initially a popular candidate, Jackson increasingly lost favor with his many supporters as his administration progressed. In addition to the Force Bill and the threatened subjugation of South Carolina, which even alarmed ardent Jacksonians, Jackson further alienated his supporters by favoring war against France to collect indemnities owed by that country to America. Next came his plan for the distribution of surplus revenue among the states and his assault on the Second Bank of the United States. Just as bad in the eyes of many was the removal of public deposits from that institution to “pet banks” of his own choosing. To make matters

worse, there was Jackson's personal choice of Martin Van Buren to succeed him, a move which aroused renewed cries of "King Caucus" and smacked of dirty politics. Finally, there was the Panic of 1837 which many blamed directly on Jackson's bank policy. As one Georgian expressed it in a poem:

Nullification, good or bad, Nullification must be had.
Andrew Jackson down must go. So must all his doctrines,
too; They're so corrupt, and so impure That freemen never
will endure.¹⁰²

To Jackson's opponents, especially John C. Calhoun, these incidents only confirmed what Calhoun and other Southerners had been warning about: that the government of the United States was completely in the hands of a corrupt administration whose purpose it was to establish a despotism over the country. In classical fashion, they had used the patronage derived from the tariff and other legislation to build up a popular following. Now in control of the government, they were enriching themselves while impoverishing the people and ruining the Republic. "The condition of the country," said Calhoun, "is indeed deplorable in a political point of view. Corruption has spread its roots deeply & widely; and the people for the most part appear almost perfectly insensible of the danger [to] . . . their liberty & institutions." Despite "the exposure of the most flagrant abuse and the most glaring usurpations," he added, they produce "no effect."¹⁰³

In fact, Calhoun argued, "the Old Republican party" had become "a spoil[s] party" through "Clay's system of plunder." Comparing Jackson to Caesar who, sword in hand, robbed the Roman treasury, Calhoun said "we are at the same state of our political revolution. . . ."

With money I will get men, and with men, money,
Was the maxim of the Roman plunderer. With money
we will get partisans, with partisans votes, and with votes
money, is the maxim of our public pilferers. With men and
money, Caesar struck down Roman liberty at the fatal battle
of Pharsalia, never to rise again. . . ; all the powers of the
Roman Republic were consolidated in the person of
Caesar, and perpetuated in his line. With money and
Corrupt partisans, a great effort is now making to choke and
Stifle the voice of American liberty. . . .¹⁰⁴

In classical fashion, too, they almost succeeded except for Calhoun and others who formed the Whig Party to oppose the tyranny of "King Andrew" as Jackson was now called. Although "we have long been marching in the direct road to despotism," Calhoun wrote to Samuel Ingham, " . . . we are in a fair way of arresting the cause." Not only that, but since Nullification, he added, sectional differences were healing and the fiscal deluge that accompanied the American System has been drying up.¹⁰⁵

This effort at reform to bring the country back to its original republican track did not cease with Andrew Jackson's second term. Rather it gained momentum in the years after 1836 as seen in the continued opposition to internal improvements, the protective tariff, and other measures that would increase expenditures and expand the operations of the federal government. Witness, for example, Senator Willie P. Mangum's speeches

against increased defense spending (1836) and the Pre-emption Bill (1841) as well as the Bluffton Movement of 1844 in opposition to a renewed attempt to raise tariff duties.¹⁰⁶

So successful was this effort at reform that by 1844, the American System had for all practical purposes all but been dismantled. No longer was there a high protective tariff as duties were now at a level to produce revenue only. Nor was there a Bank of the United States. In its place, there was not the Independent Treasury System which took effect during the administration of John Tyler. At the same time, internal improvement projects subsidized by the federal government were reduced.¹⁰⁷

Looking back on the period 1816-1832, President Polk could say in 1848 that “there was at that period of our history a departure from an earlier policy.” Influenced by the War of 1812, the depressed state of public credit, the deranged state of currency and finance, and commercial embarrassment, many of our statesmen were convinced “that our Government was not strong enough, and that to wield its resources successfully in great emergencies, and especially in war, more power should be concentrated in its hands.” Following the example of Europe, they sought to build up in the United States “a system similar to that which they admired abroad. Through loose construction of the Constitution, they erected the Bank of the United States followed by high tariffs and increased internal improvements “capable of indefinite enlargement and sufficient to swallow up as many millions annually as could be exacted from the foreign commerce of the country.” The result was a system which, instead of serving the public good, undermined it by encouraging large and extravagant expenditures (with increased patronage and corruption) “at the expense of a taxed and impoverished people.” Had this system prevailed, he concluded, it would have converted the Government of the Union, which was “intended by its framers to be a plain, cheap, and simple confederation of States. . . into a consolidated empire.” Fortunately, however, the errors of this program were realized and the American System was dismantled. In the future, he concluded, “nothing can retard the onward progress of our country . . . but a disregard of the experience of the past and a recurrence to an unwise public policy.”¹⁰⁸

Yes, the Republic had been preserved, if only temporarily. Already on the horizon, however, was a newer and more momentous question that would in time disrupt the Republic. And that issue was the question of slavery in the territories. Did Congress have the right to prohibit slavery in the territories or not? More important, were the states of the Union equal or not? Could laws be passed injurious to some states and not to others? “The Tariff, banks, internal improvements, etc.,” declared Benjamin F. Porter in 1848, “are in a measure but matters of government practice—the regulation of government practice—the regulation of its machinery: but this [the territorial issue] affects the Soul of the Constitution.” While “the effects of the first may pass away, or be bad, or good, as times and circumstances change . . . this must last forever in the distruction [sic] of the Union and of the Constitution; and in the reestablishment of the worst of tyrannies.”¹⁰⁹

As with the other great issues of the Middle Period, the question of slavery in the territories was joined by the North, particularly disaffected Democrats and anti-slavery advocates who needed a dramatic issue to regain some of their lost popularity. In this case, it was United States Representative David Wilmot, at the behest of Preston King and other irregular (“Barnburner”) Democrats from New York, who initiated action. On August 8, 1846, Wilmot proposed his famous amendment prohibiting the introduction of

slavery in the territory to be acquired from Mexico (which country the United States was then fighting). In King's words, "the time has come when the Republic shall declare that it will not be made an instrument to the extension of slavery." As Chaplain Morrison comments, "the significance of the event [Wilmot's Proviso] was little noted at the time." In fact, "Wilmot's amendment received little attention." More absorbing were the tariff issue and the war with Mexico. Indeed, "insofar as they took account of it at all, both parties [Democrats and Whigs] seem to have recognized and sought to avoid the divisive effect the measure would have in their national organizations." As to why the issue of slavery extension was agitated in such a hostile climate, Morrison says that it was the work of the "Barnburner" faction of the New York Democratic Party. Miffed at their candidates' defeat for governor in 1846, the "Barnburners" no longer saw any need to remain quiet on the slavery issue. Thus, at the beginning of the 49th Congress (1848-1849), Preston King and others prepared to reintroduce the Wilmot Proviso and fight against slavery extension. In turn, Morrison concludes, "the northern struggle for the Wilmot proviso was intimately bound up with the Barnburner's struggle for political power."¹¹⁰

As in previous contests, too, the slavery-territorial question was important precisely because it was a constitutional question. Although the specific question was slavery in the territories, the real issue was the nature of the Union. Again, was the American system of government federal or national? Were its powers limited or unlimited? Could Congress interfere with slavery in a territory or a state? To Southerners, who looked back to 1776 and 1787 and upheld the original view of the nation as a union of states, neither Congress nor the Federal government had any authority to interfere with slavery which was purely a local and state institution. To do so, moreover, would be a gross violation of the constitutional compact and an invasion of the rights of states.¹¹¹

To Northerners, on the other hand, who looked beyond 1776 and 1787 and conceived the government to be national and unified, Congress had both the power and the responsibility to arrest the spread of slavery. As they viewed it, slavery was a national problem morally as well as politically. Moreover, for Congress not to act would not only be an abdication of duty but also a national crime.¹¹²

Unlike previous contests between the North and South, however, there was no compromise to save the day. For one thing, Southerners had by 1860 lost much of their support in the North as once loyal Democrats switched allegiances first to the Whig party and later to the Republicans. For another, Abraham Lincoln and the Republican Party, in contrast to Jackson and his supporters, refused to negotiate with the South, insisting that slavery could not be allowed to expand. The result of course, when the South seceded, was not only Civil War but the end of the Republic as well as a new national concept of the Union triumphed over the federal system that had hitherto governed the United States.¹¹³

Whether or not secession and civil war could have been prevented are, of course, questions which have been endlessly debated by historians. To some (as to Katharine Cumming and her mother), secession and war need not have occurred. To others, the conflict between North and South, based as it was on fundamental economic, social, and political differences, was irrepressible. In a sense, both secession and war could have been avoided. Such an outcome, however, depended on the North (rather than the South as commonly assumed) and whether or not Lincoln and the Republican party would

compromise on the critical issue of slavery in the territories. At the most, this meant granting the South full and equal participation in the territory acquired from Mexico which was due them as equal members of the federal Union. At the least, it meant accepting the old Missouri Compromise line of 36° 30' which the South was willing to concede.¹¹⁴

In the end, they did neither and the result was permanent separation from the Union by the South. It is often overlooked that war was prevented between November and March, 1860-1861, under President James Buchanan. Although Buchanan did not believe secession was a valid remedy, he nevertheless concluded that the Federal government could not coerce the seceded states back into the Union. "The fact is," he said, "that our Union rests upon public opinion, and can never be cemented by the blood of its citizens shed in civil war. If it cannot live in the affections of the people, it must one day perish."¹¹⁵ Note Jean H. Baker, charge of Treason at Buchanan in new book!!!!!!!!!!!!!!

Many Northerners agreed. In fact, "secession had been the serious threat it was in 1860 not because the states' rights theory was strong in the South, but because it was strong throughout the whole country." Secession and war resulted, then, not because the South wanted or desired it, but because Lincoln and the Republican party would neither compromise on the issue of slavery in the territories or acquiesce in peaceful secession. They would not because of their conviction that slavery was a moral evil and their view of the Union as absolute. According to an Iowa Republican, "slavery withers and blights all it touches. . .slavery is a fatal political curse upon the institutions of our country; it is a curse upon the soil of our country, and worse than that, it is a curse upon the poor, free, laboring white men." To William Seward, slavery constituted an "element of national debility and decline." As such, it could not be allowed to expand into the West which "in the eyes of many Republicans. . .held the key to America's future." As Eric Foner has recently observed, "the question of slavery in the territories was thus one of potentialities. Whatever the actual number of slaves involved, the character of institutions which would affect the lives of millions of Americans was being determined." "It is," stated, Roger Baldwin of Connecticut, "a great question of national policy, involving responsibilities and consequences affecting the whole American people, and fixing for all future time the destinies of our immense territorial acquisitions bordering on the Pacific."¹¹⁶

If the Republican ideology of "free soil, free men, free labor" did not allow for compromise on the question of slavery, their view of the Union, which had grown with the nation itself, did not permit them to acquiesce in peaceful secession. To the men of 1776 (and to Southerners of 1861), the Union was something experimental and tentative, the means to an end. Such a union "especially pleased men who, while acknowledging that security and order required some sort of unity, could also see that such organization might destroy its own purpose." Great changes in the years between the Revolution and the Civil War, however, profoundly affected Americans' ideas of Union.¹¹⁷

In the process, Union itself became "an end, an ultimate." As William Seward exclaimed in 1850, "the Union stands questions and commotions and alarms of this day." Thus, while Southerners believed secession not only necessary but justified as well, Northerners, particularly Lincoln and the Republican party, did not. To Andrew Preston Peabody, editor of the *North American Review*, "the theory of the Secessionists resolves itself into universal disintegration and anarchy." Abraham Lincoln, president-elect and

the leader of the Republican party, shared Peabody's opinion. "Plainly," he wrote, "the central idea of secession is the essence of anarchy." Given this view of secession, it is not surprising that war came with the triumph of the Republican party in 1860 and Lincoln's inauguration as President in March, 1861.¹¹⁸

Viewed in this perspective, the conflict between the North and South was irrepressible. In fact, "two profoundly different and antagonistic civilizations . . . had developed within the nation." On the one hand, there was the democratic and capitalistic North representing the modernizing elements in American society between the Revolution and the Civil War which were not only transforming life, thought, and society in that section but its conception of government and politics as well. On the other hand, there was the South, republican in character and spirit, with a set of ideas, beliefs, and assumptions that conflicted at every point with those of the North, including the crucial issue of the nature of the Union. Given these outstanding differences, and each side's conviction that it stood for honor, glory, and right, no compromise was possible.¹¹⁹

Chapter Four

The Central Theme of Southern History: Republicanism Not Slavery, Race, or Romanticism

That the South took the lead in defense of the Republic was not that unusual. After all, it was in the South that republicanism took its deepest root and persisted longer than in any other region of the country. Indeed, long after the North was transformed by the twin revolutions of Romanticism and Industrialism, the South remained republican in

character and spirit. In fact, the distinguishing characteristic of the South (as this chapter will attempt to demonstrate) was not its slavery, racism, or romanticism but its republicanism.¹

The persistence of republicanism in the South can be seen in almost every aspect of antebellum Southern society. Wherever one looks, one finds evidence of its continued existence. Whether one looks at public opinion or private thought, the result is the same: a reiteration of the ideas and ideals of 1776. The same holds true for Southern politics, political thought, education, music, literature, and architecture.²

Take, for example, the idea of liberty. Like the Founding Fathers, Southerners believed that liberty was a privilege to be earned, not an automatic gift bestowed on the people by their government. "It is," wrote John C. Calhoun, "a great and dangerous error to suppose that all people are equally entitled to liberty." In his opinion, "it [was] a reward to be earned, not a blessing to be gratuitously lavished on all alike." It was "a reward reserved for the intelligent, the patriotic, the virtuous and deserving, and not a boon to be bestowed on a people too ignorant, degraded, and vicious to be capable either of appreciating or of enjoying it."³

Liberty also required effort. A free people to remain free had to be both vigilant and patriotic. Speaking in 1816, Calhoun stated that "I know that I utter truths unpleasant to those who wish to enjoy liberty without making the efforts necessary to secure it." Yet, he reminded his Congressional colleagues, "her favor is never won by the cowardly, the vicious, or indolent. It requires effort, it presupposes mental and moral qualities of a high order to be generally diffused in the society where it exists." Not only that, he added, it "stands on the faithful discharge of two great duties which every citizen of proper age owes the republic, a wise and virtuous exercise of the right of suffrage; and a prompt and brave defence [sic] of the country in the hour of danger." "A free people," declared the *Southern Quarterly Review* in 1854, "to continue free, must be perpetually learning. No system of government yet devised, can of itself preserve liberty."⁴

Like the Founding Fathers, too, Southerners believed that the end of government itself was the preservation of liberty. Government existed not for itself, but for the people who comprised society. As James Henry Hammond expressed it, "that government cannot do these things [create men, money, and arms itself], a power unto itself, is the first principle of republicanism." In his opinion, government could not of itself "give spontaneous force and vigor to its laws." Nor could it "by any elementary vitality, any independent self-action, maintain its own existence for a single hour." In Calhoun's words, government was "an instrument of preventing injustice, which is its aim and end." To the *Southern Quarterly Review*, government [should] enforce justice, in but one way—by prevention. It protects by preventing injustice. It restrains and punishes to prevent injustice." Indeed, "there can be no peace where there is no justice; nor any justice, if the government instituted for the good of a nation, be turned to its ruin."⁵

At least that was the ideal. As Southerners realized, however, liberty was not easily achieved or maintained. Power, they knew was ever expansive and aggressive. "My own opinion is," declared Abraham Baldwin in 1801, "that it is the nature of all delegated power to increase. It has been aptly said to be like the screw in mechanics; it holds all [it gains], and [with] every turn it gains a little more." "Power," warned Duff Green's *United States' Telegraph*, "was always stealing from the many to the few." "Every government, which has ever been established," said "Amphictyon," "feels a

disposition to increase its own powers. Without the restraints which are imposed by an enlightened public opinion, this tendency will inevitably conduct the freest government to the exercise of tyrannic [sic] power.” Indeed, he added, “if the right of resistance be denied, or taken away, a despotism inevitably follows.”⁶

As they recognized, too, men were inherently selfish, ever striving for power, wealth, and fame. As John C. Calhoun phrased it, “while a man is created for the social state, , and is accordingly so formed as to feel what affects others, as well as what affects himself, he is, at the same time, so constituted as to feel more intensely what affects him directly, than what affects him indirectly through others. . . .” In other words, man’s “direct or individual affections are stronger than his sympathetic or social feelings.” Inevitably, this “leads to conflict between individuals” and it is “the tendency to a universal state of conflict, between individual and individual; accompanied by the connected passions of suspicion, jealousy, anger and revenge—followed by insolence, fraud and cruelty” “Government” is that which prevents this “state of universal discord and confusion, destructive of the social state and the ends for which it is ordained.” The great object in politics, therefore, was “to devise such a government as will restrict individual liberty least, and, at the same time, promote the welfare of society most.”⁷

For these reasons Southerners insisted on a strict construction of the Constitution and the rights of states (including Nullification) all of which were designed to keep the government within its prescribed limits and prevent it from usurping all power and becoming despotic. After all, the purpose of a constitution was to define and limit the power of government. As Calhoun observed, “government, although intended to protect and preserve society, has itself a strong tendency to disorder and abuse of its powers, as all experience and almost every page of history testify.” Left unguarded, the powers vested in government would be “converted into instruments to oppress the rest of the community. That by which this is prevented is what is meant by constitution”⁸

“In our times,” declared the *Southern Quarterly Review*, “all new governments are what are called constitutional that is to say, the political institutions . . . as prescribed in solemn form by the sovereign power, and arranged, classified, and recorded in a written deed, called a constitution.” And “the essence of such an instrument is, that it governs the government as well as the people.” In other words, to quote Algernon Sidney, “that whosoever receives a power, should employ it wholly for the accomplishment of the ends for which it was given.” Or in Calhoun’s words, “the essence of liberty comprehends the idea of responsible power: that those, who make and execute the laws, should be controlled by those on whom they operate; that the governed should govern.”⁹

Also like the Founding Fathers, Southerners were keen students of history. As they realized, and as their study of history proved, republics were fragile polities, highly susceptible to decay and decline from within. Republics, they recognized, died not from without by invasion, but from within through vice and corruption. Once the people became corrupted and their vigilance relaxed, the way was paved for the overthrow of the constitution and the establishment of a tyranny. For proof of this lamentable fact, Southerners looked to ancient Greece and Rome, republics that once were but no longer existed.¹⁰

“Nothing so clearly proves his [man’s] weakness and his proneness to evils,” stated the *Southern Quarterly Review* in 1854, “as the history of governments.” “History will teach us,” declared Judge John F. Grimke in 1789, “that those men who have overturned the liberties of republics, the greatest number have begun their career, by paying . . . court to the people.” “It cannot . . . be denied,” warned John Winsmith in 1843, “that heretofore there appears to have been a ;ad fatality, attending the history of all republicks [sic]” which fact he hoped would make Americans “every day more jealous of their liberties, and more vigilant.”¹¹

This respect for history and the lessons of the past can also be seen in John C. Calhoun’s speech in Congress on January 17, 1814. Decrying the opposition to the War of 1812, Calhoun invoked the memories of those ancient republics which no longer existed. Admired and lamented republics of antiquity! Athens, Carthage, and Rome, you are the victims and witnesses of the fell spirit of factious opposition! Fatal fields of Zama and Cheronaea, you can attest its destructive cruelty! What is the history of Polybius, and that of the other historians of the free states of antiquity? What the political speeches of Cicero and the orations of Demosthenes, those models of eloquence and wisdom, but volumes of evidence, attesting that an opposition founded in faction, unrestrained by moderation-and regard to the general welfare, is the most dangerous of political evils. Nor does antiquity alone testify. The history of modern times is pregnant with examples. His object, he concluded, was “not [to] expose, but to re- form—to admonish a danger so incident to free states, into which all opposition, even of the most virtuous kind, so easily degenerates, if not incessantly watched; and to call on them, while yet possible, to arrest its fatal career.”¹²

As Southerners well-knew, too, the health of the state (and the survival of the Republic) depended in the final analysis upon the moral character and habits of its citizens. “Virtue in the citizens” said Judge Henry Osborne in 1787, “is the foundation on which a republican government must rest; destroy that foundation, and the fair fabric of freedom must fall.” “Republicks,” wrote Alexander H. Stephens in 1860, “can only be maintained by virtue, intelligence, and patriotism.” “The degree of government,” George Fitzhugh asserted, “must depend on the moral and intellectual condition of those to be governed.”¹³

Throughout the antebellum South, in fact, one finds a great emphasis upon the cultivation of good morals and manners. As Francis W. Pickens admonished Miss Maria Simkins, “learn to love home in preference to the world, cultivate good manners, [be] always polite, never be abrupt never do an ungraceful or undignified act, be sincere and kind.” “To every man,” believed John Christopher Winsmith, “there must be a rule of life—Honor.”¹⁴

This concern for the health of the state and the need for virtue can also be seen in efforts to regulate and-root-out such non-virtuous behavior as drinking, gambling, robbery, prostitution, fighting, and vagrancy. Referring to the “encreasing [sic] mischief of horsestealing” in particular and the increase of “audacious Robberies, and the infliction of private vengeance [sic]” in general, George Walton said that “such practices entirely subvert the society, and everything depending upon it, and reduce the citizens to a state of nature and barbarity.” Not only were they “a reproach to this country, and

particularly to this county [Richmond County, Georgia],” but “every good citizen should unite and put an end to them.” As a reminder to the grand jury, he concluded by saying that “nothing more aids the progress of society, and the tranquility of individuals, than the presence of religion, the practice of virtue, and the example of good morals.”¹⁵

Using similar reasoning, a judge in 1796 noted the alarming increase of tippling houses and taverns in Augusta. “Instead of being applied to the salutary refreshment and necessary accomodation of the wearied traveller, the sole end of this institution, they are perverted to the shameful purposes of idleness, drunkenness, [and] profaneness.” Even worse, he added, “it is a melancholy truth that these detestable practices” were not confined “to the despicable and vulgar.” Indeed, “men of first taste, rank, and fortune” were also affected.¹⁶

In the Augusta City Council Minutes for 1852, for example, one finds a petition from 260 citizens “to refuse to grant licenses to retail [sell] spirituous liquors any where within the [town] limits specified.” Similarly, one finds in 1860 a petition from numerous citizens relative to hotel keepers opening on Sunday, especially their barrooms. One also finds such ordinances as the following: (1) A law passed for the purpose “of checking the irregularities, disorders, and evil practices, which prevail in this city,” 1802. (2) An ordinance imposing fines for drinking, fighting, and quarreling in the streets, 1802. (3) An act “to prevent paupers from being introduced into the city,” 1853. Supplementing these city ordinances were state laws that prohibited similar activities. In 1788, for example, the Georgia legislature amended an act “for the punishment of vagabonds, and other idle and disorderly persons.” More interesting was an act of 1787 “to prevent biting gouging, maiming, or otherwise destroying or injuring any of the Members of the Body.” The reason given for this law was that “nothing more forceably [sic] marks the barbarity and ignorance of a country, than the savage customs of biting and gouging.”¹⁷

For the same reason, Southern courts imposed stiff punishments for crimes against persons and property. As Southerners viewed it, criminals and vagrants, who possessed neither property nor character, were distinct threats to that order and stability necessary for the maintenance of republican liberty. Lacking property, they would covet that of others; being idle, they would devise various schemes to disturb the peace and disrupt society. Even worse, they would become the likely tools to carry out the ambitious schemes of designing men.¹⁸

The South’s essential republicanism can also be seen in antebellum economic thought. Like the Founding Fathers, Southerners were wary of progress which brought with it wealth and luxury, the traditional banes of republican government. In the words of an anonymous writer in the *Southern Quarterly Review* while “prosperity is the natural result of free government,” and while it affords abundance and security, “the very blessing of liberty [wealth, luxury] . . . have a continual tendency to breed a neglect and ignorance of the government which creates it, fatal to its continuance.” As William Blanding succinctly expressed it, for riches only intoxicate the brain & lead men from the path of virtue.”¹⁹

Wealth, exorbitant wealth, that is, was in fact considered an evil and something to be avoided. As John Randolph of Roanoke wrote to Dr. Theodore B. Dudley in 1821, “the blind pursuit of wealth for the sake of hoarding [was] a species of insanity.” In his opinion, “nothing can be more respectable than the independence that grows out of self-denial. The man, who by abridging his wants, can find time to cultivate his mind, or to

aid his fellow creatures, is a being far above the plodding sons of industry and gain.”²⁰

In similar fashion, Southerners were generally suspicious of banks and banking and speculative finance (or stock-jobbing). As John Ewing Calhoun wrote in 1837, “the banking system concentrates and places power in the hands of those who control it.” Using language similar to that of John Taylor of Caroline and the radical Whigs of England, he said “never was an engine invented better calculated to place the destiny of the many in the hands of the few, or less favourable [sic] to that equality and independence, which lies at the bottom of all free institutions.” Not only did it disrupt the economy with its cyclical effects, but it also converted many persons into stockjobbers and speculators.²¹

Joining in this refrain were James Henry Hammond and William Gilmore Simms. “You may add,” Simms wrote to James Lawson in 1839, “that I am a Democrat of the Jackson School, a State Rights man, opposed to Tariffs, Banks, Internal Improvements, American Systems, Fancy Railroads, Floats, [and] Land Companies.” “It is at least a question whether all banks are not evils,” Hammond informed the South Carolina legislature in 1843. Agreeing with this assessment was Simms. As he wrote to Hammond in 1846, “I am becoming every, day more & more satisfied of the baneful hostility of the Bank to our Political Independence. The loss of the money would be an evil; but it operates more evilly through its moral & social agencies.”²²

In keeping with republican ideology, too, Southerners also shared a disdain for cities and manufactures. Like the Founding Fathers, they realized that cities were threats to republican liberty with their overcrowding, vice, poverty, and crime. Manufactures were likewise deplored for their exploitation of labor and for creating classes of dependent workers dependent upon the capitalist alone for their health and welfare. For proof of the evils of urban-industrial society, Southerners had only to look at England or the North with their impoverished masses, their poverty, their crime, their rioting, and other social ills.²³

This anti-urban, anti-industrial bias, as well as Southern attachment to the land, was given expression by John Pendleton Kennedy in his novel, *Swallow Barn*. Describing Frank Meriwether, a planter and the master of a lordly domain, Kennedy wrote:

Meriwether is not much of a traveller. He has never been in New England, and very seldom beyond the confines of Virginia He thinks lightly of the mercantile interest, and, in fact, undervalues the manners of the large cities generally. He believes that those who live in them are hollow-hearted and insincere, and wanting in that substantial intelligence and virtue which he affirms to be characteristic of the country. He is an ardent admirer of the genius of Virginia, and is frequent in his commendation of a toast in which the State is compared to the mother of the Gracchi. Indeed, it is a familiar thing with him to speak of the aristocracy of talent as only inferior to that of landed interest—the idea of a freeholder inferring, to his mind, a certain constitutional pre-eminence, as a matter of course.²⁴

This is not to say that the South possessed no industry at all. It did. According to Robert S. Starobin, the South accounted for about 20 percent of the capital invested in the

nation's industry during the 1840's and 1850's. By 1860, 15 percent of the nation's manufacturing capacity was concentrated in the southern states. In terms of total value, he notes, "southern manufactured goods alone increased from \$34 million in 1840 to nearly \$100 million in 1860."²⁵

Despite these impressive statistics, however, Southern manufactures were still quite limited in nature, being confined to industries related to and dependent upon the plantation system such as the processing of agricultural crops, iron manufacture, and transportation. In fact, besides its growth and scope, the most interesting aspect of Southern industrialization "was its wide and intensive use of slave labor." By 1860, about five percent of the total slave population (160,000-200,000 slaves) were working in non-agricultural enterprises. Not only was slave labor more economical and efficient, but it avoided many of the problems associated with free labor immigrants, who had proved to be unreliable, often quitting work for no apparent reason. In addition, they were also riotous and disruptive.²⁶

In sum, industrialization in the South posed no threat to slavery and the plantation system. Indeed, "many Southerners had come to believe that they could create a more balanced economy in which their plantation agriculture would be complemented by their ability to operate industries with slave labor." Also, "leading Southerners . . . believed that industries had to be directed by slave owning planters, not new slave-less entrepreneurs, so that existing class and race relations would remain unchanged." Too, "the funding of slave-based industries was primarily an internal process," with the chief sources of capital coming from slave owners as opposed to merchants and bankers.²⁷

For the South, then, and this is an important consideration, it was not so much its failure to develop like the North (as historians and economists have suggested) as it was a matter of its not wanting to. As Avery Craven reminds us, "the South often deliberately chose rural backwardness." "Southerners," he writes, "did not always want a diversified economic life or a public school system or a great number of large cities." As Louis T. Wigfall explained it:

We are a peculiar people, sir! You don't understand us,
and you can't understand us because we are known
to you only by Northern writers and Northern papers
We are an agricultural people; we are a primitive but
a civilised [sic] people. We have no cities—we don't
want them. We have no literature—we don't need any yet. . . .
We do not require a press, because we go out and
discuss all public questions from the stump with our people.
We have no commercial marine—no navy—we don't want
themYour ships carry our produce, and you can
protect your own vessels. We want no manufactures: we
desire no trading no mechanical or manufacturing classes²⁸

The South's essential republicanism can also be seen in its defense of slavery. Like the Founding Fathers, Southerners saw no incompatibility between slavery and freedom. If anything, they argued, slavery was essential to republican liberty. Declared James Henry Hammond in 1845, "slavery [was] truly the 'corner stone' and foundation of every well-designed and durable 'Republican edifice'." Slavery, Jefferson Davis agreed, was "promotive [sic] of, if not essential to, the preservation of the higher orders

of republican civilization.” A study of the ancient republics, declared Chancellor William Harper, “teach[es] us that slavery is compatible with freedom, stability, and long duration of civil government.” Indeed, “no republic,” stated Robert Barnwell Rhett, “has every yet been long maintained without the institution of slavery.”²⁹

The reason for this, Southerners maintained, was that slavery preserved order and stability (a necessity in a republic) by removing potentially troublesome and disruptive persons from society. As Nathaniel Beverley Tucker expressed it, slavery was a “remedy for the distemper of the body politic.” According to a writer in the *Southern Quarterly Review*:

It [slavery] is natural; it is inevitable; it is expressly commanded by the Old Testament, and is indirectly sanctioned by the New. . . . It occasions harmony, good order, and permanent prosperity in society. It prevents the collision between the two great agencies of production, capital and labour, and avoids the internecine feud which thence arises.

Moreover, he added, “it resists the tendency to convert all life and all social action into a mechanism for the mere augmentation of gain.” In a word, “it multiplied and strengthened the links which bind society together.” “The great strength of the South,” wrote James Henry Hammond in 1858, “arises from the harmony of her political and social institutions. This harmony gives her a frame of society, the best in the world, and an extent of political freedom, combined with entire security, such as no other people ever enjoyed.”³⁰

At the same time, slavery promoted equality as well as engendered a spirit of liberty. Under slavery, declared Thomas R. R. Cobb, “there is truthfully republican equality in the ruling class.” As he explained it, since the mass of laborers were not recognized as citizens, “every citizen feels that he belongs to an elevated class. It matters not that he is no slaveholder; he is not of an inferior race; he is a freeborn citizen; he engages in no menial occupation.” In this way, “the poorest meets the richest as an equal.”³¹

To emphasize the social benefits of slavery even further, Southerners were quick to point out the alarming state of society in the North. In the opinion of one Southerner, “delusive and pernicious errors, in politics, in society, and in religion” abounded. “There,” he noted, “all sorts of ‘isms’ have taken root.” As another Southerner described it:

Society in the North was in revolution. Old things were about to pass away; all things were to become new. Property was to undergo general distribution in equal shares. Every man, it was argued, had a natural right to a farmstead, and a poultry-yard, as every woman, not wholly past bearing, had a right to a husband.

As a result of this universal disorder in the laws and morals of Northern society, “charity and good will” were lost; the home destroyed, not to mention “the securities of religion, the domestic peace of families, the inviolability of laws, the guarantees of the creditor.”³²

“At the South,” however, “no such wretched experience [had] demonstrated.” Moreover, “no such dangers [were] yet apprehended, nor can they,” declared a reviewer in the *Southern Quarterly Review*, “whilst [sic] the system of slavery is maintained and

appreciated.” In this respect, Southerners agreed, their civilization was worth preserving. It was “a civilization to be sustained, to be expanded, to be fought for.”³³

In defending slavery, as with their advocacy of states’ rights, Southerners were not turning their backs on the Revolution and the principles of 1776. Like the Founding Fathers, they did not believe that all men were created equal. As Thomas Cooper wrote in 1835:

We talk a great deal of nonsense about the rights of man.
We say that man is born free, and equal to every other man.
Nothing can be more untrue: no human being ever was, now is
or ever will be born free No two men were ever born equal to
each other or ever will be. Are they equally strong, equally talented, born
to equal pretensions and chances?

To James Henry Hammond, “all [could not] be equally rich, honored, & powerful.”³⁴

Far from being equal, men were unequal. “In the very nature of things there must be classes of persons to discharge all the different offices of society.” In John C. Calhoun’s words, there must be “hewers of wood and drawers of water.” “In all social systems,” agreed Hammond, “there must be a class to do the menial duties, to perform the drudgery of life. That is, a class requiring but a low order of intellect and but little skill.” This “mudsill,” he added, constituted the very basis of government and society for “you might as well attempt to build a house in the air, as to build either the one or the other, except on this mud-sill.”³⁵

NOTE: David Shipler’s book on The Working Poor in America!!!!

Like the Founding Fathers, too, Southerners believed in a “great chain of being,” in an ordered and structured universe. “Order, declared Alexander H. Stephens, “is nature’s first great law. Gradation, too, is stamped upon every thing animate as well as inanimate.” There was in all animal life, he noted, “a scale, from the lowest degree of inferiority to the highest degree of superiority.” Indeed, he concluded, “if there is any fixed principle, it is this.”³⁶

Also in keeping with republican ideology, Southerners shared a distrust for the poor and property-less. As they realized, like the Founding Fathers, persons possessed of no property represented threats to republican liberty. Commenting on recent social theories, for example, and especially “the extravagant pretensions in favour of the masses,” a writer in the *Southern Quarterly Review* asked: “Is there any one who will assert that ‘the people’ in any country is so wise that it can know, or so claim that it can choose what is best for itself? Does it not everywhere need counsel, restraint and education?”³⁷

This bias also extended to Negroes. As James Kirke Paulding reported in his *Letters From the South*, Negroes were in general more ignorant than whites of poorer classes. And although he was no advocate of slavery, yet “until they can be freed, without endangering the community, infringing the established rights of mankind . . . it is some comfort to see them well treated by their masters.” As such, the South needed slavery. “Without it,” wrote Albert Bledsoe, “it would be impossible to maintain either a sound public order or a decent private liberty.” Indeed, he added, “the very laws or institution which is supposed by fanatical declaimers to shut out liberty from the Negro race among us, really shuts out the most frightful license and disorder from society.”³⁸

The implication here, of course, is that Southerners' defense of slavery in the 1830's was not something new and different. Nor was it inconsistent with the principles of 1776. Indeed, as recent research suggests, the republican ideology of the Revolutionary generation with its emphasis upon virtue, order, and stability, the inviolability of property, its distrust of the poor and property-less, and its agrarian orientation, actually accommodated slavery. To quote Jack P. Greene, "the philosophy of civil rights championed by the American Revolutionaries was thus not, as so many have charged, betrayed but fulfilled by their failures to abolish slavery. Indeed, writes Donald Robinson, "the leaders of the Revolution were inheritors of habits and attitudes that made it easy to ignore their black neighbors," which they did. As he adds, "one of the surprising things about this [Revolutionary] idealism was its indifference to Negro slavery."³⁹

Pro-slavery thought, writes William Sumner Jenkins, "did not have its inception in America." "Long before the first settlements were made in the Western hemisphere the arguments in justification of . . . slavery had become hackneyed." Despite the fewer number of pro-slavery pamphlets, public opinion in the South was still in favor of slavery. Moreover, if the tone of the debate changed, from apologetic to belligerent, it was related not to any change in sentiment on the part of the South, but to the increased militancy of the abolitionists. In Robert McColley's opinion, "it was not the attitude . . . of slaveholders that changed between the 1790's and the 1830's, but rather the attitude of the North."⁴⁰

Viewed in this broad historical perspective, then, it was not the defense of slavery that was new and unusual. After all, slavery had existed for centuries. It formed an important part of the ancient world where it co-existed with the republics of antiquity. Surviving the fall of Rome, it re-emerged in Europe and was accommodated to the Medieval Church. What was new and unusual, however, was the demand for the abolition of slavery. As David Brion Davis reminds us, "in the 1760's there was nothing unprecedented about chattel slavery . . . What was unprecedented was the emergence of a widespread conviction that New World Slavery symbolized all the forces that threatened the true destiny of man."⁴¹

In explaining why the South remained republican in character and spirit, it is first necessary to look at education which was largely classical in nature and orientation. Almost without exception, private academies and colleges in the South adhered to a classical program of study which was designed to educate the whole man. While this certainly meant learning to read and write Greek and Latin, it also implied a mastery of subjects such as philosophy, ethics, political economy, and mathematics. In keeping with the classical tradition, too, great emphasis was also placed upon public speaking. In the words of Bishop Charles Todd Quintard of the University of the South (Sewanee):

Education . . . must . . . be commensurate with ye whole man.
Ye body must be trained by healthful exercise . . . ye mind . . .
drawn out & strengthened . . . ye heart sanctified & ye will
subdued. It is ye aim . . . of ye University of Ye
South to develop a harmonious & symmetrical character,
to fit & prepare men for every avocation . . . & to teach
all those things which a Christian ought to know.⁴²

Entrance requirements at Southern colleges and universities, for example, most often included knowledge of Greek and Latin. As the College of Charleston announced in 1805, “such [students] as propose to enter the Freshman Class, will be examined in Virgil and Sallust . . . Greek Grammar, and Greek Testament, and the whole of Common Arithmetic.” At South Carolina College, prospective candidates were “required to render from Latin into English Cornelius Nepos, Sallust, Caesar’s *Commentaries*, [and] Vergil’s *Aeneid*.” They were also required to write legibly, spell correctly, and have a general knowledge of English grammar. At the University of Alabama, first year students, in addition to having “an acquaintance with English Grammar, Arithmetic, and Geography,” had to be able “to translate four books at least of Caesar’s *Gallic Wars*, Sallust’s *Catiline and Jugurtha*, and *Ecologues Georgics* and four *Aeneids* of Virgil, and two books at least of Xenophon’s *Anabasis* or *Cyclopedia*.”⁴³

The classical orientation of education at Southern colleges was also evident in their course offerings. The program of study at the College of Charleston in 1805, for example, followed this pattern: For the Freshman Class, studies in:

Horace and Cicero, a continuation of Prosody and Greek Grammar, *Exempla Majora*. . . recitation of passages from Greek and Latin authors, Roman Antiquities; Euclid’s *Elements* (the first six books); Algebra, English Grammar, and Exercise in Public Speaking For the Sophomore Class, continued studies of Horace . . . and Livy, Juevenal and Tacitus, . . . Greek Antiquities, recitation of passages from Greek and Latin authors, translations in prose and verse from Greek and Latin authors; translations into Latin of passages from English authors; Latin themes; Euclid’s *Elements*, 11th and 12 [th] books; Plane and Spherical Trigonometry; Conic Sections; Practical Mathematics. . . ; Ancient and Modern Geography; Exercises in Composition; and Public Speaking.

For the Junior and Senior classes, the emphasis was less on Greek and Latin and more on Philosophy, History, Political Economy, Ethics, Metaphysics, and Jurisprudence. Study of other antebellum Southern colleges reveals a similar pattern (if not the same content).⁴⁴

While this emphasis upon the classics, especially the “dead languages” (Greek and Latin) was practical in nature, since much knowledge “from 1600 to 1800[was] in a great measure wrapt [sic] up in the dead languages,” it was also prompted by the need to instill in students lessons in virtue and citizenship that they derived from studying the past. As Thomas Cooper expressed it, Latin and Greek were “sources of instruction and elegant amusement.” More to the point was the stated goal of the College of Charleston. As described by J. H. Easterby in his history of that college, the trustees, “belonging in many instances to the group of Charlestonians who were consciously seeking to bring about in [that] city that fine balance of cultural and material interests which had prevailed in the ancient Greek commonwealth . . . regarded the College as vital to the attainment of their ideals.”⁴⁵

In fact, the purpose of education in the Old South was precisely this, to train young men for useful service to the Republic. By instilling in them the need for virtuous

conduct and by training them for an avocation, it was hoped, they would render conspicuous service to state and country. As “Juvenous” wrote in 1787, “the instruction of youth was essential to the formation of able, useful citizens.”⁴⁶

Indeed, for Southerners as for the Founding Fathers, education represented one of the pillars of republican society. As John Westcott of Florida stated in 1844:

Keep the Mass virtuous and well informed, and the penal laws on our Statute book, will, in a great manner, become obsolete So with a republican form of government, it is safer, wiser, and less expensive by a proper system of education, to preserve the virtue and integrity of the people, and thereby prevent the introduction of crime, and moral disease, than be compelled to use harsh and severe measures to root them out.

In similar fashion, the Faculty of South Carolina College announced that:

No person can be expected to make a good citizen of a Republic, who is not able to read and understand the Constitution which he is required to support: and although despotism may rest satisfied with a state of ignorance among the mass of its subjects; who have nothing to do with the laws but obey them, it is not so in a Republican Government, where the people are actual parties to the laws that are enacted. In such a government, the means of understanding the laws should be universally distributed.⁴⁷

Despite the universality of the classics in antebellum Southern education, there were those who recognized the need for more practical and useful training at least for those who were not deficient in mental faculties or who were not bent on a career in law, medicine, or politics. As James Henry Hammond informed the South Carolina legislature in 1844, “it is the duty of a wise Government to bestow its highest care upon the mental culture of its people.” Yet, he noted, while college education and education for the poor were liberally funded and provided for, “for that large and substantial body [the middle class] . . . the broad and solid foundation on which rests the frame-work of the political system . . . you have done nothing.” As the faculty of South Carolina College reported to the legislature in 1826, the community, “should afford reasonable aid” to every child in the state “to be instructed, in the more useful and elementary branches of knowledge. . . .”⁴⁸

To correct this deficiency, many Southern states devised plans for the education of all classes of their citizens. In South Carolina, for example, a system of free schools was established to provide instruction and training in the more useful arts. Included among the courses offered in these free schools were reading, writing, arithmetic, and geography. Particular emphasis was stressed on United States history and geography as each school was required to have a map of America. Also required was “some good abridgement of the history of America and of our Revolutionary War; the Constitution and [the history] of our own State.”⁴⁹

It should not be supposed that all Southerners were in favor of classical education as numerous critics of the classics appeared both in the North and the South. One of these was Thomas S. Grimké of South Carolina. As the *Southern Review* reported in

1828, “Mr. Grimké, declares it to be his solemn conviction—and that too, founded, as he assures us, upon the fullest and fairest experiment—that they (the learned, ancient languages] are absolutely good for nothing.” Mr. Grimké, it was further reported, was alone of those that indulge in the pleasing day-dreams of perfectibility. He seems persuaded that the world, or at least this part of it, is to end, as other parts of it are fabled to have begun, with a race of (intellectual) Titans.” Says he, “I fear not . . . the great names of Archimedes, Aristotle and Plato, of Demosthenes and Cicero, of Tacitus and Thucydides. I know that we must excel them. I fear not the great names of Bacon and Newton, of Locke, Butler, Hume and Robertson, Chatham, Burke and Pitt. I know that we shall surpass them also.”⁵⁰

For its part, the *Southern Review* denounced Grimké and those who would do away with classical learning in favor of a more practical educational system adapted “to the condition and characteristics of society in modern times.” In its opinion, “the harsh and crabbed philosophy which would thus proscribe the purest pleasures, as well as the most elegant and ennobling pursuits of the human mind, is as false and superficial in theory as it is disagreeable in its effects and repulsive in its aspect.” Though plausible, since they rested upon “the solid basis of utility,” pushed to their extreme “they [would] lead to consequences so extravagant as to reduce the whole argument, at once, to a manifest absurdity,” namely, a “war of extermination which illiterate and vulgar fanatics, of all names and nations, have waged against the highest graces and embellishments of society.” Indeed, by pronouncing such theories of education, Mr. Grimké associated himself “with those Levellers and Fifth Monarchy Men of the Commonwealth of Letters.”⁵¹

In conclusion, it stated, the classics needed no defense. Indeed, “it is such studies . . . as make that vast difference in the eyes of a scholar between Athens, their seat and shrine, and even Sparta.” As a reviewer for the *Southern Quarterly Review* expressed it, “we leave to others the defense of classical learning against those, who, too stolid to require it, or too ignorant to understand its true value, decry a study which will only cease to be pursued when art, literature and civilization shall be merged in barbarism.”⁵²

Despite this effort at educational reform, however, education in the South in 1860 remained largely what it had been in 1800, namely, classical and elitist in nature. Speaking of the University of Alabama, for example, James B. Sellers writes that although some move was made in the 1850’s to adopt the elective system introduced by Jefferson at the University of Virginia, “the actual course offerings did not change greatly with the change in system.” Indeed, as the course of instruction for 1855-1856 demonstrates, not much had changed at all. For the first year, students had to study Harkness’ *Second Latin Book*, Xenophon’s *Anabasis*, the *Satires* and *Epistles* of Horace, the *Odes* of Horace, and Herodotus in addition to algebra, geometry, elocution, mythology, and lessons in reasoning. Second-year students studied Isocrates, Demosthenes, Horace’s *Art of Poetry*, Homer’s *Iliad*, Juvenal, Grecian and Roman antiquities, and Cicero in addition to plane trigonometry, surveying, analytical geometry, Calculus, and Rhetoric. Third year students read Cicero and Tacitus, Greek and Latin composition, in addition to chemistry, statics, English literature, French, Hydrostatics, zoology, physiology, and optics.⁵³

This classical tradition was reinforced by the reading habits of Southerners, especially in politics and history. Heading the list in this respect were the ancient

histories, the writings of John Locke, Algernon Sidney, and Viscount Bolingbroke, popular histories of the American Revolution, and the writings of the Founding Fathers themselves including *The Federalist*. Included among a list of books by James Kershaw in 1822, for example there appeared the following authors and titles:

the American Constitution, Xenophon, the *American Practical Gardener*, the *History of France*, Byron's Works, *Bolingbroke on the Study of History*, Godsmith, a *Classical Dictionary*, the *Federalist*, Gibbons' *Rise and Fall* [of the Roman Empire], John Locke, Henry Lee's *Memoirs of the Southern War*, Robertson's *Histories*, and Charles Rollins' *Ancient History*.

A later list, from the 1850's (as recorded in Edward Spann Hammond's pocket diary) showed the following titles:

Analytical Review; *Annual Register*; *History of The French Revolution*; Sallust; the *Middle Ages*; Paine's *Age of Reason*; *Clarissa Harlow*; *History of France*; *Life of Martin Van Buren*; Alexander the Great; the *Lives of Jay & Hamilton*; the Constitution of the United States; Washington Irving; *The Southern Cultivator*; the *Odes of Horace*; Goldsmith's *History of England*; *George Wasington and the Generals of the American Revolution*; *Arator*; *Men of the Revolution*; and *Living American Orators*.⁵⁴

Suffice it to say that this classical influence was widespread and pervasive in the South. Note, for example, the following diary entry by James Kershaw. Under "Historical Notes," he wrote the names of Thales of Miletus, Alexander the Great, Herodotus, and Pythagoras accompanied by the following epigram: "I wish to revenge myself," said someone to Diogenes, "tell me by what means I may do it." "By becoming virtuous," said the philosopher. In his address to the Cadet Polytechnic Society at the State Military Academy [the Citadel], J. M. Miles admonished his audience "to urge, strenuously, the sacred duty of individual development." As examples, he referred to the trial of the unsuccessful Greek generals at Arginusae in 406 B. C., "the noble course of Socrates," as well as "the patriotic resignation and last counsels of Diomedan."⁵⁵

Reinforcing the republican beliefs of Southerners were trends in science, philosophy, and religion which gave further sanction to the ideas of an ordered, hierarchic universe and the inherent evil nature of men. Describing the emerging science of sociology, for example, Theodore Dwight Bozeman concludes that "the over-all affect of the emergent science of sociology . . . was to secure a comforting sense of order through a naturalization of the social parts." To Southerners, "the neatly ordered and autonomous world of sociology would not admit the disorderly incursions of abolitionists and other devotees of rapid reform, who conceived society to be a simple, accessible, and manipulable [sic] construct." In Joseph Le Conte's words, whereas astronomy had illustrated "that sublime attribute of Deity, His . . . unchangeableness in space," geology would show "His . . . unchangeableness in time."⁵⁶

Significantly, too, religion in the South remained fundamentalist in nature, not only in adhering to a literal interpretation of the Bible, but also in its view of man, human

nature, and sin. Unlike liberal sects in the North, Southern churches still believed in original sin, man's depravity, and the essential evilness and selfishness of man., Associated with this fundamentalism as well was a certain asceticism which forbade or discouraged worldly pleasures. This religious fundamentalism also included the idea that the "Church was not supposed to construct society afresh, to adjust its elements in different proportions, [or] to arrange the distribution of its classes." In James Henley Thornwell's opinion, the power of the church was "ministerial and declarative," and limited to advancing Biblical principles and enforcing its commands."⁵⁷

Not surprisingly, Southern churches led the way in the defense of slavery. As they believed, slavery related to the original sin in the Garden of Eden. To quote Thornwell again,

Slavery [was] a part of the curse which sin had Introduced into the world and stands in the same general relation to Chistianity as poverty, sickenss, disease, or death. In other words, it is a relation which can only be conceived as taking place among fallen beings—tainted with a curse. It springs not from the nature of man as man, nor from the nature of society as such, but from the nature of man as sinful, and the nature of society as disordered.⁵⁸

Generally speaking, antebellum Southern thought was conservative. Unlike the "isms" of the North, it did not hold out dreams of a golden utopia. Nor did it accept the Romantic or Unitarian or Transcendentalist or abolitionist belief in the perfectibility of man. At best, progress was slow and the result not of dreaming but of hard work and toil. Decrying the utilitarian and perfectionist spirit of the time, and the efforts of politicians and preachers to educate the masses, a writer in the *Southern Quarterly Review* stated that:

If we lived in Utopia, and our numbers were limited, if we were not required to struggle, not only for the means of living, but for life itself, if the circumstances of every man were such that his necessary labours were only so great as to brace his nerves and his muscles for enjoyment during his hours of relaxation, then would universal education be, not a sweetner of life only, but a necessity. But, our world is one of fact. Life is a sober reality.

"Perfection," wrote Edward Spann Hammond in 1856, "has never appeared on earth or if [it] has our eyes, unaccustomed to it, and our judgment not sufficiently refined or penetrating to appreciate it in its frail & motley surroundings are often to err in imputing blemishes to it also."⁵⁹

If education, slavery, religion, science, and philosophy were all important in preserving the republican character and spirit of the South, so too was the memory of the Revolution itself. While it is true that all Americans celebrated this epoch event, the celebration of the national anniversary had a particular relevance in the South. Characterized as it was by extreme violence and prolonged guerilla warfare ["The Patriot" starring Mel Gibson is excellent in this regard], the war in the South left an

indelible impression upon the minds of Southerners and especially South Carolinians. "The memory of a Saratoga or Eutaw," declared Calhoun in 1814, "is immortal."⁶⁰

In his diary, William Dickinson Martin recorded in 1809 "the memorable 4th [of] July, great in the annals of a nation, momentous to us as an individual." "Let us cherish. . . the recollection of our revolutionary glory as the highest and purest in all our past record," stated William Porcher Miles in 1858. In the words of a writer in the *Southern Quarterly Review*, "Old memories are rapidly failing us. . . . We must fix these dream-like memories now, or never. We, who are in possession of all the fruits of that fearful struggle of our sires, and the mothers of our sires, owe it to the old, noble workers of the past. . . to put on record the history of their achievements." Further reflective of this "spirit of 76" is a poem composed by James Smith Rhett, "On the 50th Anniversary of American Independence."⁶¹

Lo! the jubilee moon of freedom come
A half-century mostly flown by
Since some of our sires amidst trumpet & drum
To accomplish their freedom or die.

Come pledge the full bowl to deeds that were done
To the health of the few who survive
To the fame of those who tho' they are gone
Shall deathless in our gratitude live. . . .

As Southerners remembered it, too, the Revolution was a conservative movement, undertaken reluctantly, and on behalf of those ancient English liberties that the colonists had inherited from England. Its aim was neither independence nor political unity, but freedom from oppression. "We had," declared Francis W. Pickens in 1831, "bathed deep in the fountains of English freedom. We [had] drawn our ideas from their great and glorious struggles which resulted in the establishment of Magna Charta." We also remembered "the martyred death of Algernon Sydney [sic] and the consecrated blood of Hampden." Thus "feeling as we did, speaking the English language, nurtured and educated as we had been . . . resistance to oppression could not have been otherwise than inherent in the living principle that made us all that we were—English." As such, he continued, it was no surprise that the taxes to be levied "created a deep and determined enmity from one end of the continent to the other."⁶²

The issue was not the tax! "It was not the small duty on tea---that was far from being oppressive." Rather "it was the principle on which it was placed." And that principle, Alexander H. Stephens stated, was the right of the "home government [Great Britain] to govern the colonies in all cases" [as the Declaratory Act of 1766, following the repeal of the Stamp Act, made clear]. Even then, declared Francis M. Pickens, the colonists were not prepared to declare their independence. As he reminded his audience, "in the first commencement of our opposition to British tyranny, none thought of an entire separation from the mother country." Indeed, "even after blood was spilt, and the opening cannon was heard from Lexington and Bunker Hill. . . our only and our heartfelt desire was for redress and reconciliation."⁶³

Agreeing with this interpretation of the Revolution was John Winsmith. In his Fourth of July oration in 1843, he reminded the people of the Spartanburg and Union districts that "previous to the Revolution" England had paid little attention to the

colonies. "No sooner however had they established themselves in security against the savage tribes . . . and the country began to shew [sic] signs of prosperity and greatness, than England . . . claimed to exercise the right of governing them, absolutely and exclusively." Yet, "in vain did our wise and patriotic statesmen . . . represent to them the impropriety of being taxed by a Parliament where they were not represented." This reasoning, however, proved ineffectual. "The Lion had singled out his prey, and felt determined it should not elude his grasp."⁶⁴

"Under these circumstances," he continued, "a general excitement prevailed, from one extent of the country to the other." Not until the battles of Concord and Lexington did the colonists, "who did not wish to be the aggressors," feel justified "in resorting to the last extremity." With the Battle of Bunker Hill and the disappointment of "all prospect of reconciliation," the colonies, "who before had only wished for a redress of grievances, and had neither expected or desired an entire separation from the mother country, now began seriously to entertain such views." On July 4, 1776, "the old Continental Congress published to the world the declaration of Independence, which you have heard read today."⁶⁵

For his own part, Winsmith said that "never, never can I forget the impression made upon me when [as] a boy, while listening to some of our old revolutionary patriots," of "their unparalleled [sic], their sever[e] struggles; and their unfaltering determination . . . to establish the independence of their country, or perish in the conflict." Moreover, having been "most intimately associated with some of these revolutionary patriots," any service he might render to the country in the future would "in part at least" be attributed "to the patriotic precepts which [he] . . . so often received from their lips."⁶⁶

The anniversary of American Independence he hoped would continue to be celebrated. As the most enlightened and most free people in the world, "it would be strange indeed, if we could not annually spare this day at least, from our individual pursuits, to be dedicated wholly to our country" and to unite with each other "in offering up our most ardent aspirations to the supreme ruler of the universe, for the prosperity and perpetuity, of our republican government." By renewing "our pledge," we would gain "fresh zeal in our country's services. . . and form new, and more glorious resolutions to perform our parts, in preserving and improving that high inheritance which has been left to us all, by a noble ancestry."⁶⁷

Of all the factors accounting for the South's persistent republicanism, none is more important than Southern society itself which approximated the republican ideal. Slavery there was, to be sure, but for the early national and antebellum eras, non-slaveholders outnumbered slaveholders. In 1860, on the eve of the Civil War, there were only 385,000 total slaveowners in the South and most of these had 20 or less slaves. Included in the latter, moreover, were black owners of slaves as well. To speak of a "plantation South" is somewhat of a misnomer outside of Alabama's black belt, the area around Natchez, Mississippi, the Louisiana sugar country, and the lowlands of South Carolina. More appropriately, there was the farming South which not only produced cotton, but also corn which was the leading crop. Despite progress in manufacturing and transportation including railroads, Southern society remained overwhelmingly rural and agrarian. In 1800, as in 1860, agriculture was still the leading occupation of the majority of white Southerners. Not only that, it was along with the law the major avenue to wealth

and success in the Old South. Consider, for example, the careers of these famous Southerners, all of whom were planters: John C. Calhoun of South Carolina ("Ft. Hill"); Jefferson Davis of Mississippi ("Brierfield"); James Henry Hammond of South Carolina ("Silver Bluff" and "Redcliffe"); William Gilmore Simms of South Carolina ("Woodlands" and "Oak Grove"); James Hopkins Adams of South Carolina ("Live Oaks"); Andrew Jackson of Tennessee ("The Hermitage"); Joel Roberts Poinsett of South Carolina ("Casa Blanca"); and Duncan Kenner of Louisiana ("Belle Helene").

⁶⁸ (68 John W. Blassingame, *The Slave Community: Plantation Life in the Antebellum South*. New York and London: Yale University Press, 1972. "Although the 3,954, 000 black slaves greatly outnumbered the 385,000 white slaveowners in the South in 1860, the slave has generally been shunted off to the wings on the historical stage." (Ibid., viii.) With the publication of this book, the idea of slavery as a total institution (put forth by Stanley Elkins in *Slavery: A Problem in American Institutional and Intellectual Life* (Chicago: University of Chicago Press, 1959, 1976.) was challenged. As indicated by the title, black slaves were able to maintain a viable community of their own within the confines of slavery.

Like republicans of old, too, Southerners continued to believe that agriculture cultivated those virtues—independence, frugality, self-reliance, patriotism, and courage—that were essential to the well-being of a republic. As John Taylor of Caroline in Virginia wrote in *Arator*,

By the exercise it gives both to the body and
To the mind, it secures health and vigor to both;
and by combining a thorough knowledge of the
real affairs of life, with a necessity for investigating
the arena of nature, and the strongest invitations to
the practice of morality, it becomes the architect of
of a complete man.

John C. Calhoun agreed. Writing to Micah Sterling on April 16, 1820 (acknowledging his acceptance as a member of the Jefferson County, New York, Society for the Promotion of Agriculture and Domestic Manufactures), he said: "As it regards agriculture, I am a farmer, and have always been delighted in its pursuit [sic]. Nothing can be more congenial to our excellent political institutions than the habits produced by agricultural pursuits."⁶⁹

There is, in the quiet picture of rural life," wrote an anonymous author in the *Southern Quarterly Review* for 1852, ". . . something more than a sentimental appeal to the eye." In his opinion, rural life and agriculture taught "a moral and religious lesson, which no one can refuse to hear." In fact, "the greatest blessing of country life is the tranquility of nature which it constantly manifests. All is seasonable, and seasonably produced. Crops do not clamor for precedence; trees grow gradually; the law of perfect, irresistible order, is nowhere more significant; patient progress is the loyal behest of field and forest." Indeed, "in contrast to "the natural tendency of commerce [which] seems continually to force men into efforts to overcome competitors, by the stratagems of speculation . . . the life of a farmer . . . is eminently suggestive of generosity." Unlike the capitalist, whose source of prosperity is speculation, the returns of the farmer "are the result of toilsome industry."⁷⁰

Above all, he noted, farming made a man free and independent as well as patriotic and virtuous. "With a safe investment of his annual gain, a plentiful supply of food and raiment, and an excellent homestead, an American agriculturalist must necessarily be sensible of his rightful independence." And like "the agricultural class of a republican country," moreover, "the patriotism of such men is rooted in the soil."⁷¹

In the second place, Southern society was composed largely of yeoman farmers. As Frank L. Owsley and his students at Vanderbilt University demonstrated in the 1940's and 1950's, one of the important and neglected features of antebellum society was the existence of "a large body of non-slaveholders and small slaveholders who possessed lands, livestock, farm produce, and money in sufficient quantities to enable them to live comfortably." As he described them, "the bulk of the farming population of the South were yeomen," 80 per cent of whom owned their own farms. "Despite the unkempt appearance of the backwoodsmen, the shabby aspect of much of even the best countryside, despite, indeed, the panoramic impression of decadence gained by travelers from outside the region, the basic indices point to the conclusion that the bulk of southern whites were not only economically secure, but that on the whole their position was . . . constantly improving." While Owsley, et al, no doubt inflated the numbers of yeomen and their status, the fact remains that there were more white non-slaveholders than slaveholders. "At no time before 1860," Owsley concluded, "was the rural South divided into two great social classes, slaveholders and non-slaveholders." Three-fourths of Southerners, it should be remembered, held no slaves and of those families owning slaves in 1860 the great majority (71.3 per cent) owned less than ten slaves. As for the great planters, they were small in numbers with only 1.7 per cent having 50-99 slaves. For those with more than 100 slaves, the figure was approximately 0.5 per cent.⁷²

72 See Wood, "The Union of the States" and "The Union of the States: A Study of Radical Whig-Republican Ideology and its Influence upon the Nation and the South, 1776-1861" (unpublished Ph. D. dissertation, University of South Carolina, 1978), chapters 2 and 3, "Framing a Government I and II," 177-291; "The Central Theme of Southern History: Republicanism Not Slavery, Race, or Romanticism," *Continuity: A Journal of History*, 9 (Fall 1984), 33-71; and "In Defense of the Republic: John C. Calhoun and State Interposition in South Carolina, 1776-1833," *Southern Studies*, New Series, X (Spring/Summer 2003), 9-48.

See also Wood, "The Central Theme of Southern History"; "Alexis de Tocqueville and the Myth of Democracy in America," *Southern Studies*, New Series, V (Fall 1994), 1-18 (published in 1998);

"What Happened to Republicanism, I?: George Bancroft, the Myth of Democracy, and the Lost Causes of 1776, 1787, and 1861," in *ibid.*, IX (Spring 1998), 37-69 (published in 2001);

"Before Republicanism: Frank L. Owsley and the Search for Southern Identity, 1865-1965" *Southern Studies*, New series, VI (Winter 1995), 65-78 (published in 1999);

"In Defense of the Republic: John C. Calhoun and State Interposition in South Carolina, 1776-1833," *Southern Studies*, New Series X (Spring/Summer, 2003), 9-48;

"The Misinterpretation of Frank L. Owsley: Thomas J. Pressly and the Myth of a Neo-Confederate Revival, 1930-1962," *ibid.*, X (Fall/Winter 2003), 39-68;

"U. B. Phillips, the New South, and the Antebellum Past, *Southern Studies*, XXII (Fall 1983), 216-243 (also reprinted in John David Smith and John C. Inscoe, eds., *Ulrich Bonnell Phillips: A Southern Historian and His Critics* (New York, Westport, Connecticut and London, 1990), 57-78);

"Republicanism, the South, and the Civil War: An Old-Fashioned View" (paper presented at the 1998 meeting of the Missouri Valley History Conference);

and "A New History for a New Nation: Northern Historical Revisionism and the Path to Civil War, 1815-1865" (paper in progress).

Wood, "Beyond Myths (Madisonian, Federal, Liberal, and Nationalist: The Constitutionality of Nullification and What the Framers Really Intended, 1787-1800," *The Early American Review*, V (Winter-Spring 2004), 1-18.

Supplementing these yeoman farmers was a middle class of professionals (lawyers, merchants, soldiers, educators, engineers) who shared similar ideas about government, society, and politics as their rural counterparts—and slavery. Although confined to the city, they nevertheless participated in and benefitted from the cotton economy. If many of them owned no slaves or had a plantation, they still accepted slavery as a means of ordering diverse peoples and preserving that order which was an essential part of their world view. To paraphrase Robert W. Fogel and Stanley L. Engerman, one of the surprising facts about slavery in the antebellum South was its rapid growth, not decline, in urban areas. Despite a decline in six of the ten largest Southern cities, total urban demand increased. This anomaly is explained by the fact that only four of the largest cities actually lost slaves while smaller cities gained in slave population.⁷³

Southern society, in other words, was not, as charged by abolitionists and other critics of the South, divided simply into three most un-democratic and aristocratic classes: poor whites, slaves, and the rich planters who "dominated politics, religion, and all phases of public life." To the contrary, writes Owsley, "the population was divided into many economic and social categories ranging from destitute 'poor whites' to immensely rich planters." "At no time before 1860," he concluded, "was the rural population of the South divided into two great social classes, slaveholders and non-slaveholders." Three-fourths of Southerners, it should be remembered, held no slaves and of those families owning slaves in 1860 the great majority (71.3%) owned less than ten (10) slaves. As for the great planters, they were small in numbers. Only 1.7 % of Southern families owned 59-99 slaves. For those owning more than 100 slaves, the figure was approximately 0.5%.⁷⁴

This portrait of society in the South, it needs to be emphasized, was an exaggerated one with a political purpose in mind: to make the region below the Mason-Dixon line into a "slaveocracy" first and then later into a "Slave Power that was as un-democratic and anti-egalitarian as their later beliefs in states' rights and pro-slavery! Long before 1860, then, the South was being misinterpreted for what it was not and also to obscure its republican character and spirit as well as its claim, historically correct, that it was the real heir to the principles of 1776 and 1787! Thus the early national and antebellum origins of the twin myths of democracy and a reactionary South by which the

North (really Abraham Lincoln and the new Republican party of 19th century origins) became the true successor of the founders and framers.⁷⁵

Southern society, moreover, was open and fluid. Although deferential, like society at the time of the American Revolution, it was not based on rigid social distinctions. In her study of *The Tennessee Yeomen*, for example, Blanche M. Clark found much social intermingling between slaveholders and non-slaveholders. She also discovered that large slaveholders often worked in the fields when needed as did their sons. As Richard M. Johnson of Kentucky observed of his state, "slaves alone were servile. All white men are on an equality; and every citizen feels his independence. We have no classes—no patrician or plebeian rank."⁷⁶ Note: John W. Blassingame, *The Slave Community*.

It was also possible for less privileged but hardworking and industrious types, white and black, to rise to the top and attain status and wealth. Indeed, many Southern leaders themselves rose from humble origins. John C. Calhoun was born to a large family in the upcountry of South Carolina. Richard M. Johnson, Vice-President under Martin Van Buren, though born in a log-cabin at Beargrass, Kentucky, acquired a large plantation near Georgetown and served many years as United States Representative. David L. Swain of North Carolina, the son of a Massachusetts hatter, settled in Buncombe County where he became judge, governor of the state, and served thirty-three years as president of the University of North Carolina. Ephraim Beanland, overseer of James K. Polk, eventually became a slaveowner himself and wealthy enough to send his son to college to study medicine.⁷⁷

A good example of social mobility is provided by the career of Thomas Jefferson Rusk (1805-1857). The son of a poor farmer in Pendleton District, South Carolina, he was not able to provide much toward his education. Intent upon succeeding, he realized that education provided the key to success. In 1825, he wrote to John C. Calhoun requesting aid in helping him secure a decent education. Calhoun responded by furnishing Rusk with law books, allowing him to use his office, and eventually obtaining for him a position in the office of William Gresham, clerk of the District Court.⁷⁸

Thus prepared, Rusk left for Clarkesville, Georgia where he began the practice of law as well as married Mary F. Cleveland (daughter of John Cleveland, his partner in a mercantile firm). Now prosperous, Rusk invested in a gold mine only to lose all of his money when the managers fled town. Intent on recovering his money, Rusk pursued the men to Nacodoches, Texas only to discover that they had already spent it. Liking what he saw, however, Rusk decided to remain in Texas where he fought in the Texas War of Independence and later rose to prominence in political and legal circles.⁷⁹

Important in this respect was the performance of the antebellum Southern economy itself, which provided the economic opportunity to sustain an open and fluid social system. As historians and economists now agree (after years of acrimonious debate), slavery was profitable in that it provided an adequate rate of return on investment. As estimated by James D. Foust and Dale E. Swan, rates of return in the Old South ranged from 4.7 to 8.5 per cent while those of the newer South were 5.2 to 9.2 per cent. Slavery was also an efficient form of labor. Because of economies of scale, effective management, and intensive use of labor and capital, slavery was more efficient than free labor in the North so concluded Robert W. Fogel and Stanley L. Engerman. So efficient was it in fact that the South was not only able to raise enough foodstuffs for its

own needs, but enough to export outside the region. While small farms more than likely had a surplus of food stuffs, larger farms (100-500 acres) were almost assured of surpluses. Farms of 500-999 acres more than likely had very large surpluses.⁸⁰

Most important, the antebellum Southern economy demonstrated an adequate amount of material growth. As estimated by Fogel and Engerman, the Southern economy between 1840 and 1860 was one of the most rapidly expanding in the world. Compared to annual growth rates of 1.5 per cent for France, 1.4 per cent for Germany, 1.2 per cent for England, and 1.6 for the United States, the South's rate of growth over the same time period was 1.7 per cent. What this meant for Southerners was not only economic opportunity, but also a higher per capita income and a relatively high standard of living. Indeed, the South was the fourth richest "nation" in the world (above France, Germany, and Denmark).⁸¹

In the third place, citizens of the South (as distinguished from the aggregate of the people since this was an important distinction in 19th century America) were very much preoccupied with politics and affairs of state. As they realized, in keeping with radical Whig-republican ideology, the price of liberty was eternal vigilance. For this reason, Southerners read their local newspapers, attended public meeting and sessions of court, wrote letters to the editor, petitioned government on matters that directly affected them, and demanded to know what their elected representatives were doing. Above all, they voted since it mattered to them who was elected to office. "The Southerners are the people in the Union," observed Francis J. Grund in 1839, "who study politics as a science, having both the leisure and education for that purpose."⁸²

Witness, for example, the contested mayoral election of 1790 in Augusta, Georgia. Angered at certain irregularities that had attended the election, citizens of Augusta kept up such an opposition to the elected aldermen that they were forced to resign and a new election ordered. As "A Citizen of the World" observed after the election, "in the present instance, the privileges of a free people have been violated, arrogance countenanced, and the public good sacrificed for private interest."⁸³

Throughout the antebellum period, Augusta citizens demonstrated both their civil concern and their interest in politics. Town meetings were frequent such as those in 1798-1799 protesting the Alien-Sedition Acts. At a meeting of citizens at City Hall on January 23, 1822, a committee was appointed to draft a memorial showing the effects of bankruptcy laws and praying for their repeal. At the same time, another committee was appointed for the passage of a law to establish a uniform system of bankruptcy in the United States. On January 14, 1822, the Augusta Chronicle reported petitions to Congress from numerous citizens of Augusta and Savannah requesting the restoration of the old mail route between those cities.⁸⁴

These political meetings, along with the public dinner and barbecue, were prominent features of antebellum Southern politics. In 1835, North Carolina and other states were the scenes of hundreds of political meetings in opposition to Martin Van Buren as the leading candidate for the Democratic presidential nomination (despite the blessing of Andrew Jackson). In Rowan County, North Carolina, 1,000 men attended together with the invited dignitaries: Senator Willie P. Mangum, Duff Green, and Gov. David L. Swain. So large was the crowd that the meeting had to be moved to a nearby grove. Even at that, the proceedings lasted five hours.⁸⁵

While it is traditional to decry Southern politics as being aristocratic, elitist, and far removed from the people, closer examination reveals a much different picture. Although deferential, Southern politics were not unmindful of the people (or citizens who could vote). Souther politicians often went out among the voters to discuss issues and to ask their opinions. In this sense, political power proceeded from the bottom up rather than the top down. "The characteristic feature of our government," said John Winsmith of South Carolina, "is, that when administered in its purity it is the people governing themselves. And nothing is of binding force . . . until it has received the formal sanction of the people's representatives."⁸⁶

"According to our American conception of liberty," said John C. Calhoun at Abbeville, South Carolina, on May 27, 1825, "it can only exist where those who make and execute the laws are controlled by the people on whom the laws operate, through frequent elections fairly conducted." It had ever been his policy, he added, "to enlarge and strengthen their control, wherever it is susceptible of it, and to preserve it in vigor in the actual operation of the system." In his view, it was manifest "that in the same proportion that the people may lose this control, just in the same degree the responsibility of public agents to them must be lost and that, in the same degree, the government must lose its democratical character."⁸⁷

That Calhoun meant what he was saying is evident in his support of an amendment to the Constitution to secure the people more direct control in their choice of chief magistrate. The occasion for this amendment (not passed) was the disputed election of 1824 and the subsequent election of John Quincy as president by the House of Representatives. "I deem the amendment of the Constitution to be the great point," he wrote to Samuel D. Ingham on June 10, 1825, "both as regards the liberty of the country, and the operations connected with the next election." If it should succeed, "much will be done. . . to prostrate political jugglers." On the same subject, Calhoun informed Samuel L. Southard, that he wanted "an amendment . . . as will secure to the people, a direct and decisive control in the choice of Chief Magistrate." Without it, he concluded, "our honorable system in other respect[s] will but be the corpse [sic; corpse] of a Republic."⁸⁸

Thanks to hundreds of newspapers, antebellum Southerners were well informed. Every town of any size, it appears, had its own paper while larger cities like Richmond, Charleston, and Augusta could boast of two or more. Most of these regularly reported Congressional proceedings as well as speeches of their favorite sons. Besides extensive coverage of national news, antebellum Southern newspapers also featured foreign intelligence and advertisements for books both non-fiction and fiction. Supplementing these newspapers were various magazines and journals (literary, agricultural, commercial, historical, and medical). As the voluminous modern editions of the papers of Henry Clay, Andrew Jackson, John C. Calhoun, Thomas Jefferson, James Madison, and more indicate, personal correspondence was another informal means of communication along with the public meetings and political barbecues.⁸⁹

Finally, antebellum Southern society was filled with the type men that John Adams had described as being essential in a republic, men who possessed "all [the] great manly warlike virtues" and who, like republicans of old deemed themselves "the property of the State . . . ever ready to sacrifice their concerns to [its] interests." Like the men

Thomas Jefferson once described, they were "high-minded men; men, who their duties know . . . and knowing, dare maintain."⁹⁰

Calhoun was one of these men. Yes, he was ambitious for the presidency as he admitted he was at least in the years between 1820-1828 until the Nullification movement in South Carolina. To describe him as an "Opportunist" as Gerald Capers has is to belittle what Calhoun was really about, i.e., preserving the republic of the founders and framers of 1776 and 1787. No "Cast Iron Man" was he of pure abstractions and born fully developed without a childhood. Forgotten now is the husband and father and the devoted public servant he was until his death in 1850. He did not invent states' rights or Nullification; he only tried to explain their relationship anew—to republicanism and federalism—to a later generation (more above than below the Mason Dixon line becoming tired of the old, the tried, and the true politics and history of old. The republic was being transformed as he lived and tried to preserve it.⁹¹

To a home town audience in Pendleton, South Carolina, he left them with these remarks in 1825: I have "in every public act of my life . . . been governed by a disinterested and ardent attachment to our admirable system of government." America had a great future before it "if its principles should be preserved in their original purity. . . and the system . . . administered with wisdom." With that done, the republic would be elevated "to a point of prosperity and greatness, exceeding all that ever existed." It was enough for him that he could "contribute to so great and happy a result." Reiterating the same theme, he told another audience that "to understand then the true interest of the country, and to pursue it steadily under every difficulty, I resolved from the first, should be my constant guide in my passage through public life."⁹²

Calhoun, eulogized the *Southern Quarterly Review* in 1850, was the only one "of our great men who has taken a philosophical view of our system of government." More than anyone else, he had ascertained and established "as clear as demonstration can establish, those laws which, in the practical operations of the government will keep power within the limits defined in a written constitution." Indeed, he laid down the true principles of free government and had shown "how it might, and unless vigilantly watched, eventually depart from those principles." He had, in sum "thoroughly elucidated all the checks and balances of Free Constitutions."⁹³

For Calhoun and indeed for Southerners in general, then, republicanism remained a vital ideology that shaped their world view and attitudes toward government, society, politics, and—slavery. As far as they were concerned, nothing had changed. Men were still selfish and corrupt which qualities made power aggressive and expansive, as it had been and always would be, and Liberty as always was the target. For freedom to be preserved, virtue and vigilance would be required along with the means of restraining government itself. The lessons of the past had been learned by the founders and framers whose own actions and achievements in the Revolution and the creation of a federal republic (as a union of the states and not the states united) added to the legacy of Liberty in America and how to secure and maintain it.⁹³

No, it was not the South that had changed or deviated from the 18th century principles of 1776 and 1787-1788. As Southerners insisted again and again, before and after the Civil War of Northern origins, they were only adhering to those same principles upon which the republic had been founded. This connection between 1776-1787 and 1860-1861 was emphasized by Jefferson Davis in reply to Stephen A. Douglas in 1860.

My devotion to the [Democratic] party [has been life-Long I inherited my political principles. I derived them from a revolutionary father—one of the earnest friends of Mr. Jefferson . . . who bore his full part in the civil revolution of 1800, which emancipated us from the Federal [Federalist Party, nationalist] usurpation and consolidation But that devotion to party rests on the assumption that it is to maintain sound principles; that it is to strive hereafter, as heretofore, to carry out the great cardinal creed in which the Democratic [republican] party was founded. When the resolutions of 1798 and 1799 are discarded; when we fly from the extreme of monarchy to land in the danger to Republics—anarchy, and the Democratic party says its arm is paralyzed, [and] cannot be raised to maintain constitutional rights, my devotion to the organization is at an end.

For Jefferson Davis and others, the source of conflict between the North and the South involved more than liberty all on the one side and slavery all on the other. At issue in fact were different definitions of freedom and indeed conflicting interpretations of the past and especially what the founders and framers had intended in 1776 and 1787-1788. We have "heard proclaimed," Davis stated in 1861 upon retiring from the U. S. Senate, "the theory that all men are created equal . . . and this made the basis of an attack upon [our] social institutions [slavery]." Yet, he reminded his Northern friends, Democrat and Republican, "that Declaration . . . is to be construed by the circumstances for which it was made." At that time, "the communities were declaring their independence; the people of those communities were asserting that no man was born . . . boot and spurred to ride over the rest of mankind. That men were created equal [in a state of nature only], meaning the men of the political community [that came about with the social compact arising of necessity from a state of nature]; that there was no divine right to rule; that no man inherited the right to govern; that there were no classes by which and place descended to families [aristocracy]." "These were the great principles they announced; these were the purposes for which they made their declaration."⁹⁸

War came because the North, symbolized by Abraham Lincoln and the new Republican party of the 19th century, embraced newer ideas or "isms" by which they reinterpreted 1776 and 1787 not only to justify their attack on the South, but also to make them and not the South the real heirs of the founders and framers. And the civil war of Northern (and Romantic) origins came as it had to. With the denial of secession as a legitimate right of revolution, proclaimed in the same Declaration of Independence as the equal rights of mankind, the first American republic reached its end. Speaking in 1866, Alexander H. Stephens put things into historical perspective. "Whatever may be said of the loyalty or disloyalty of any, in the late most lamentable conflict of arms, I think I may venture safely to say, that there was, on the part of the great mass of the people of Georgia, and of the entire South, no disloyalty to the principles of the constitution of the United States." "With this change [after 1865 and the defeat of the Confederate States of America] comes a new order of things for one of the results of the war was "a total change in our whole internal polity."

- 1 The article presented here is based on the author's dissertation "The Union of the States: A Study of Radical Whig-Republican Ideology and Its Influence upon the Nation and the South, 1776-1861" (Ph.D. dissertation, U. of South Carolina, 1978). An earlier version was presented at the 1994 Duquesne History Forum. The standard view, long accepted, is William W. Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina, 1816-1836* (New York, 1965). Slavery, race, and disunionism remain the themes of Nullification historiography. See the bibliography in the Appendix. While Freehling has incorporated republican ideology into his latest efforts, *The Road to Disunion: Secessionists at Bay, 1776-1854* (New York, 1990) and *The Road to Disunion: Secessionists Triumphant, 1854-1861* (New York, 2007) he interprets this concept more liberally than the author. Besides Wood, few are the scholars who portray Calhoun or Nullification in a positive light. But see the following, Edwin Hemphill and Clyde N. Wilson, eds., *The Papers of John C. Calhoun* (25 vols. to date, Columbia, SC, 1959-2003) especially vols. X, XI, and XII; William H. Denny, "South Carolina's Conception of the Union in 1832," *S. C. Hist. Mag.*, 78(July 1977), 171-183; James Rabun, "Documents Illustrating the Development of the Doctrine of Interposition," *J. of Public Law*, 5 (Spring 1956), 49-89; and Ross M. Lence, ed., *Union and Liberty: The Political Philosophy of John C. Calhoun* (Indianapolis, 1992). See also James Blawie, "Town v. State: Interposition and Secession in New England," *J. of Public Law*, 5 (Spring 1956), 90-109. Calhoun's major point, of course, was that he invented no new doctrine.

- 2 For the constitutionality of Nullification, i.e., as an idea raised in the Federal Convention and the state ratification debates of 1787-1788 and intended as an essential part of the American system of checks and balances, readers are urged to take another look at James Madison's *Notes of Debates*. See Adrienne Koch, ed., *Notes of Debates in the Federal Convention Reported by James Madison* (Athens, Ohio, 1966; New York, 1987). Only in the 20th century, moreover, did a complete documentary history of 1787-1788 become available. See Merrill Jensen, John Kaminiski, et al, eds., *The Documentary History of the Ratification of the Constitution* (13 vols., Madison, 1976-1998) as well as modern editions of the Papers of Jefferson, Madison, Calhoun. Also available are Herbert J. Storing, ed., *The Complete Anti-Federalist* (7 vols., Chicago, 1981) and Murray Dry's *The Anti-Federalists: An Abridgement of Storing's the Complete Anti-Federalist* (Chicago, 1985). Not until 1819 was the *Journal of the Federal Convention* published. This was followed by the notes of Robert Yates (*Secret Proceedings*) in 1821, and the first volumes of Jonathan Elliot's *The Debates in the Several State Conventions on the Adoption of the Federal Constitution* (4 vols., Washington, D. C., 1827, 1830 and a 5 volume revised edition in 1836). Madison's *Notes*, interestingly, were not published until 1840 in Henry D. Gilpin, ed., *The Papers of James Madison* (3 vols., 1840). While ultimately sustaining the integrity of Madison's *Notes* and the *Journal of the Federal Convention*, despite problems of author changes for the former and dubious government care and editing by John Quincy Adams, Dr. James H. Hutson of the Library of Congress has nothing but negative comments to say about *The Secret Proceedings* of Robert Yates and Elliot's, ed., *Debates* (that is to say, both sources are too federalist and states' rights in content!). See Hutson, "Creation of the Constitution: The Integrity of the Documentary Record," *Texas Law Review*, 65 (November 1986), 1-39.

Important new studies of the Federal Convention of 1787 and the ratification debate are Jack N. Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution* (New York, 1996) and Saul Cornell, *The Other Framers: The Anti-Federalists & the Dissenting Tradition in America, 1788-1828* (Chapel Hill, 2000). Unlike most other scholars, Prof. Dry credits the Anti-Federalists with having clear and coherent principles that are "more relevant to an understanding of the American founding and American polity. . . than has usually been supposed." (Ibid., 4.) They are "entitled, then, to be counted among the Founding Fathers." (Ibid., 1.) As he further notes, both Federalist and Anti-Federalist agreed as to the not so good nature of men. (ibid., 3.) The importance of the anti-Federalists is also emphasized in Rakove, *Original Intentions*, who also sees them in terms of radical Whig-republican ideology. (Ibid., 151-152.) See also Michael Lienesch, *Ratifying the Constitution* (Lawrence, Kansas, 1989) and Robert J. Haws, ed., *The South's Role in the Creation of the Bill of Rights* (Jackson, Mississippi, 1991).

- 3 Unless otherwise noted, the debates are from *Notes of Debates in the Federal Convention Reported by James Madison* and Jonathan Elliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution* (2 vols, Washington, D.C., 1827-1830; 5 vols., Philadelphia, 1836). Agreeing with the author is Murray Dry, ed., *The Anti-Federalist: An Abridgement of The Complete Anti-Federalist edited by Herbert J. Storing* (Chicago, 1985). Readers are challenged to take a second look at the debates in the Federal Convention of 1787 (especially for May 29-July 29). Any edition of Madison's *Notes* will suffice (Winton Solberg or Adrienne Koch). In light of this states' rights debate, and the all important issue of drawing a line of demarcation between the state and federal governments (not resolved until the Tenth Amendment), readers are urged to re-read the Va.-Ky. resolutions and Madison's Report of 1800 to the Va. Legislature. States' rights and reserved powers were, in effect, one of the important checks and balances of America's limited, balanced, federal government. For all the writings about America's vaunted system of checks and balances, it is curious that one of them, States' Rights, has been totally ignored. The spate of constitutional histories spawned by the bicentennial (1787-1987) is but a

reflection of our ignorance of what happened two hundred years ago. Do I detect a democratic, Northern, anti-Southern bias here? On this point, see Michael Kammen, *A Machine That Would Go By Itself: The Constitution in American Culture* (New York, 1986); Elizabeth K. Bauer, *Commentaries on the Constitution, 1790-1860* (New York, 1952); and James McClellan, *Joseph Story and the American Constitution* (Norman, Okla., 1971). What the constitution was, from a republican view point, is presented in William Rawle, *View of the Constitution of the United States* (Philadelphia, 1825, 1829). Madison, by the way, had every reason not to publish his *Notes*! That he did not until 1840 raises even more questions about the supposed "father of the Constitution" (which he was not). Commenting on his early collection of anti-Federalist pamphlets, Paul L. Ford stated that "New light is thrown upon the proceedings in the Federal Convention, so large a part of which is now veiled in mystery. . . ." (Paul L. Ford, ed., *Essays on the Constitution. . . 1787-1788* [Brooklyn, 1892], vi.)

- 3 See Wood, "The Union of the States"; "The Central Theme of Southern History: Republicanism, Not Slavery, Race, or Romanticism," *Continuity: A Journal of History*, 9 (Fall 1984), 3-72; "What Happened to Republicanism? George Bancroft, the Myth of Democracy, and the Lost Causes of 1776, 1787, and 1861" (paper presented at the 14th Mid-America History Conference, Sept., 1991). On John Locke, and whether he was liberal or not, see Thomas L. Pangle, *The Spirit of Modern Republicanism: The Moral Vision of the Founding Fathers and the Philosophy of John Locke* (Chicago, 1988); Ruth Grant, *John Locke's Liberalism* (Chicago, 1987); and Wayne Glausser, "Three Approaches to Locke and the Slave Trade," *Journal of the History of Ideas*, 51 (April-June, 1990), 199-216. According to Lance Banning, "states' rights and strict construction were necessary parts of a systematic defense of republican liberty." ("Republican Ideology and the Triumph of the Constitution, 1789 to 1793," *W & M Q*, 3rd ser., 31 [April, 1974], 167-188, quote on 180-181.)
- 4 Philip S. Foner, ed., *The Complete Writings of Thomas Paine* (New York, 1945), I, 369; II, 372; Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill, 1969), 21-22; Griffith J. McRee, ed., *Life and Correspondence of James Iredell* (New York, 1858), 217. It was a leading maxim, said Patrick Henry, "that all men are by nature free and independent and have certain inherent rights." (Elliot, ed., *Debates*, III, 15.)
- 5 Wood, *Creation of the American Republic*, 20, 23; Letter #61, "How Free Governments are to be framed so as to Last; and how they differ from such as are arbitrary," Jan. 13, 1722, in *Cato's letters* (1722, 1745), II, 236-264.
- 6 Wood, *Creation of the American Republic*, 23-24; Algernon Sidney, quoted in the *Southern Quarterly Review*, VII (January 1853), 123; Caroline Robbins, ed., *Two English Republican Tracts*, 43. "A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those [principles] of piety, justice, moderation, temperance, industry, frugality, are absolutely necessary to preserve the advantage of liberty, and to maintain a free government." (John Adams, in C. F. Adams, ed., *Works*, IV, 227). See also Samuel Adams to John Adams, Nov. 20, 1790, in *ibid.*, VI, 420-426 and *The Federalist*, #78.
- 7 See Wood, "The Union of the States," 12-13, 138-140, 157.
- 8 See *Ibid.*, 10-11, 16-17, 136; Gordon S. Wood, *Creation of the American Republic*, 20-23; and Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, Mass., 1967), 41-42, 56-60. See also Robert E. Shalhope, "Toward a Republican Synthesis: The Emergence of an Understanding Republicanism in American Historiography," *W & M Q*, 3rd ser., 29 (January 1972), 49-80; Lance Banning, "Republican Ideology and the Triumph of the Constitution;" and Wood, "The Union of the States," 137-138.
- 9 Wood, "The Union of the States," 15-17, 136.
- 10 Wood, "The Union of the States," 23-29.
- 11 *Ibid.*
- 12 See Bailyn, *Ideological Origins*; Banning, "Triumph of the Constitution"; J. R. Pole, "Historians and the Problem of Early American Democracy," *AHR*, 67 (April, 1962), 628-646; Richard Buel, Jr., "Democracy and the American Revolution: A Frame of Reference," *W & M Q*, 3rd ser., 21 (April 1964), 165-190; and Irving Kristol, *On the Democratic Idea* (New York, 1972).
- 13 See Bailyn, *Ideological Origins*; Letter #17, Feb. 18, 1721, in *Cato's Letters*, I, 111-117; Letter #18, "The terrible Tendency of Publick Corruption to ruin a State, exemplified in that of Rome, and applied to our Own," Feb. 25, 1721, in *ibid.*, 117-123.
- 14 Bailyn, *Ideological Origins*; Jonathan Mayhew quoted (*ibid.*, 93). For more extensive quotes, see Wood, "The Union of the States," 156-158.
- 15 Wood, *Creation of the American Republic*, 10-14. For elaborations on Wood's analysis, see Wood, "The Union of the States, 174-175. The new British view of sovereignty and the empire after 1688 is discussed in Wood, "The Union of the States," 165-168; Eric Robson, *The American Revolution*, 12, 16-39, 73; and Bradley Bargar, *Lord Dartmouth and the American Revolution*, 197.
- 16 George III to Gen. Thomas Gage, Nov. 18, 1774, in Fortescue, ed., *Correspondence of George III*, III, 153.
- 17 Wood, *Creation of the American Republic* and Wood, "The Union of the States," chaps. II and III, "Framing a Government," 177-291.
- 18 Wood, "The Union of the States," chap. III. This paragraph represents the standard but incomplete view of the constitution. See notes below.
- 19 The key debates the federal convention can be followed in Solberg, ed., *The Federal Convention and the Formation of the Union* (Indianapolis, 1958). See Dickinson (June 7), Mason (June 7), in *ibid.*, 114, 115-116. See also Dr. Johnson's statement (June 29), p. 187; John Lansing, "Notes on Debates," June 8, 1787, in James H.

- Hutson, ed., *Supplement to Max Farrand's Records of the Federal Convention* (New York, 1987), 60; Pierce Butler's "Notes," in *ibid.*, 61.
- 20 Wood, "The Union of the States," 276-282. James Wilson (June 30) called this issue of "the boundary between the Gen[era]l & the local authorities" the "other point most contested." (Solberg, ed., *The Federal Convention*, 193.)
 - 21 The documentary record is clear on this point although interpreters (hundreds of them) have ignored the plain evidence before their eyes. See Elliot's *Debates*; Herbert J. Storing, ed., *The Complete Anti-Federalist* (7 vols. Chicago, 1981); Merrill Jensen, Robert Kaminski, et al, eds., *The Documentary History of the Ratification of the Constitution* (Madison, 1976-1992); and Max Farrand's *The Records of the Federal Convention* (4 vols., New Haven, 1931).
 - 22 On the importance of the states and their maintenance, see the statements by Charles Pinckney (May 30), Pierce Butler (May 31), Elbridge Gerry (June 2), John Dickinson (June 2), George Mason (June 7), Gerry (June 8), William Paterson, (June 9), Sherman (June 20), Dr. Johnson (June 21), Charles Pinckney (June 25), Dr. Johnson (June 29), Luther Martin (June 29), and Oliver Ellsworth (June 29), in Solberg, ed., *The Federal Convention*, 81, 87, 92-93, 94-95, 105, 107, 114, 115-116, 117, 121, 161-162, 163, 171, 187, 191, 191-192.
 - 23 See speeches above and Wood, "The Union of the States," 281-282. Madison's description is in *The Federalist*. Essay #39. Calhoun used almost identical language.
 - 24 Gordon S. Wood, *Creation of the American Republic*, 584-592.
 - 25 See Wood, "The Union of the States," 228-229, 271-272, 555. The term used for one national government operating upon individuals directly was "Consolidation." This same term, which formed an important part of anti-Federalist thought, would appear again in the 1820's to describe the policies and politics of "King" Andrew Jackson.
 - 26 Corey and McClellan, eds., *The Federalist*, essay # 10, 43-48; Solberg, ed., *The Federal Convention*, 194 (quoting Ellsworth, June 30). Madison's extended republic, it should be noted, was based not on states' rights but representation and as such was in keeping with his nationalist bias. The crucial difference between Madison's extended republic and that of the anti-Federalist will be the subject of a proposed paper by the author: "No Federal Union without States: Madison, the Anti-Federalists, and the Extended Republic Revisited."
 - 27 See Wood, "The Union of the States," 581-583.
 - 28 See Ulrich B. Phillips, *Georgia and State Rights* (Washington, D. C., 1902); Arthur E. Bestor, "State Sovereignty and Slavery," in Sidney Fine and Gerald S. Brown, eds., *The American Past* (New York, 1968); and Ellis, *The Union at Risk*. See also Charles F. Hobson, "The Negative on State Laws: James Madison and the Crisis of Republican Government," *W & M Q*, 3rd ser., 36 (April, 1979), 215-235.
 - 29 Condé Raguet, "An Address upon the Sovereignty of the States," in the *Augusta (Ga.) Chronicle*, April 9, 1834. See also John Winnsmith, "An Address sBefore the State Rights and Free Trade Association of Spartanburgh and Union Districts," ca. 1830-1831 (Winnsmith Papers, SCL/USC).
 - 30 See the "South Carolina Exposition and Protest" (1828), the "Ft. Hill Letter" (1831), and Calhoun to James Hamilton, Jr., Aug. 28, 1832, all in *The Papers of John C. Calhoun*, X, XI. See also Charles Warren, *The Supreme Court and Sovereign States* (Princeton, 1924; New York, 1972).
 - 31 Carey and McClellan, eds., *The Federalist*, essay #78, p. 405; Rawle, *A View of the Constitution*, 289-290, 295-296.
 - 32 Elliott, ed., *Debates*, II, New York. See also "Americanus" (1794); Noah Webster, *An Oration on the Anniversary of the Declaration of Independence* (1802); Daniel Shute, *An Election Sermon* (1768); and William Whiting, *Address to the Inhabitants of Berkshire County, Massachusetts* (1778), all in Charles S. Hyneman and Donald S. Lutz, eds., *American Political Writing During the Founding Era, 1760-1805*; C. Gordon Post, ed., *A Disquisition on Government*, 7; and note #3 above concerning John Locke.
 - 33 Wood, "The Union of the States," 530, 580-584; Remini, *Andrew Jackson and the Course of American Democracy*; Joseph Blau, ed., *Social Theories of Jacksonian Democracy* (Indianapolis, 1954).
 - 34 McClellan, *Joseph Story and the American Constitution*; R. Kent Newmyer, "Harvard Law School, New England Legal Culture, and the Antebellum Origins of American Jurisprudence," *JAH*, 74 (December 1987), 806-831. Jefferson's views can be followed in Lipscomb and Bergh, ed., *Writings*, vol. XV.
 - 35 The letters of Nathaniel Macon (1758-1837) are instructive here. See his letters to Joseph H. Nicholson of Maryland in the Library of Congress. With a grant from the Marguerite Eyer Wilbur Foundation, the author spent a year collecting Macon's letters. 400 new items together with his manuscript notes for speeches in Congress were discovered. The project for an edition of Macon letters was turned over to Dr. Cary Roberts now of Arkansas Technical University. See also Roger H. Brown, *The Republic in Peril: 1812* (New York, 1971); and Noble E. Cunningham, ed., *Circular Letters of Congressmen, 1789-1815*.
 - 36 See Paul C. Nagel, *One Nation Indivisible: The Union in American Thought, 1776-1861* (New York, 1964); Major L. Wilson, *Space, Time, and Freedom: The Quest for Nationality and the Irrepressible Conflict, 1815-1861* (Westport, Conn., 1974).
 - 37 Wood, "The Union of the States," 528-529, 623-631.
 - 38 Wood, "The Union of the States," 638-640, 669-673. The reader is referred to *The Papers of John C. Calhoun* (25 vols., Columbia, S. C., 1959-2003).

- 39 Wood, "The Union of the States", 623.
- 40 Wood, "The Union of the States", 622-623.
- 41 Wood, "The Union of the States," 529.
- 42 Wood, "The Union of the States," 530. As expressed by the Lynchburg (Va.) *Jeffersonian and Virginian Times* in 1833, it was a maxim "among historians and statesmen for centuries, that a Republic cannot exist over any considerable extent of territory." The American republic had overcome this problem by extending the sphere of government. Our system presents one Republic as to all external concerns—and twenty-four Republics as to all internal concerns." (Quoted in the *Auraria* [Ga.] *Western Herald*, June 4, 1833.)
- 43 "Ft. Hill Letter," July 26, 1831, *Papers of Calhoun*, XI, 415, 418; Calhoun to James Hamilton, Jr., Aug. 28, 1832, *ibid.*, 616, 643. That Calhoun's views were not new is evident from a reading of *The Federalist*. See essays #14, 17, 32, 39, 47.
- 44 John C. Calhoun, "A Discourse on the Constitution and Government of the United States," in C. Gordon Post, ed., *A Disquisition on Government and Selections from the Discourse* (Indianapolis, 1953), 85.
- 45 "South Carolina Exposition," in *Papers of Calhoun*, X, 506-509.
- 46 Calhoun, "Speech on the Removal of the Deposits," in Crallé, ed., *Works*, II, 338. See also Richard B. Latner, "The Nullification Crisis and Republican Subversion," *JSH*, XLIII (February 1977).
- 47 Jefferson to John Holmes, April 22, 1820, in Lipscomb and Bergh, eds., *Writings*, XV, 248-250. See also Jefferson to William Short, April 13, 1820, in *ibid.*, XV, 243-248. The Holmes letter, it should be noted, is not usually quoted in full. The traditional view of the Missouri question, emphasizing slavery and slaveholder fears, is presented in John C. Miller, *The Wolf By the Ears* (New York, 1977). See also Richard H. Brown, "The Missouri Crisis, Slavery, and the Politics of Jacksonianism," *SAQ*, 65 (Winter 1966), 55-72.
- 48 "Ft. Hill Letter," July 26, 1831, in *Papers of Calhoun*, XI, 415-416; "Draft Report on Federal Relations," ca. Nov. 20, 1831, *ibid.*, 485-509; Calhoun to James Hamilton, Jr., Aug. 28, 1832, in *ibid.*, 613-649; and "South Carolina Exposition," *ibid.*, X, 500-502, 504.
- 49 Calhoun to Hamilton, Aug. 28, 1832, XI, 635.
- 50 "South Carolina Exposition," X, 444-446, 494-498, 504, 508-510; "Ft. Hill Letter," 1831, XI, 421-424.
- 51 "Rough Draft of An Address to the People of S. C.," ca. Dec. 1, 1830, XI, 278; "Ft. Hill Letter," 1831, XI, 421; "Draft Report on Federal Relations," XI, 498-499; Calhoun to James Hamilton, Aug. 28, 1832, XI, 634, 636.
- 52 "South Carolina Exposition," XX, 494-496; "Ft. Hill Letter," XI, 416-418.
- 53 Calhoun to ?, ca. 1831, *Papers of Calhoun*, XI, 553.
- 54 Wood, "The Union of the States," 580-584; *State Papers on Nullification*, 86-88, 79, 81, 78, 82; "Debate on Mr. Foot's Resolution," *Southern Review*, VI (Aug., 1830), 167-169. As Calhoun correctly observed in keeping with the federal convention debates of 1787, "The Union is an Union of the States, as communities, and not an Union of individuals." (Calhoun to James Hamilton, Jr., Aug. 28, 1832, *Papers of Calhoun*, XI, 616) Another nationalist view of the union can be found in Benjamin Romaine, *State Sovereignty, and a Certain Dissolution of the Union. [Ten Letters] To the Honorable John C. Calhoun* (New York, 1832). "It is a government in FACT, holding command, by order of the people of the whole United States, of all the energies of SUPREME POWER, over the Union, to enforce [sic] and sustain its undivided integrity, and equal, in all respects, to any government on earth." (*Papers of Calhoun*, XI, 662-663)
- 55 The negative use of "nullification" is discussed in Edward A. Pollard, *The Lost Cause: A New Southern History of the War of the Confederates* (New York, 1866), 41.
- 56 Wood, "The Union of the States," 604-607. As even James K. Polk admitted, "there was at that period [1816-1832] of our history a departure from an earlier policy." (Polk, Fourth Annual Message, in Israel, ed., *State of the Union Addresses of the Presidents*, 756-760. See also Ellis, *The Union at Risk*, 178-198.
- 57 Calhoun to James Hamilton, Jr., Aug. 28, 1832, in *Papers of Calhoun*, XI, 614.

Notes, "The Union of the States, 1800-1860"

- 1 Thomas Jefferson, "First Inaugural Address, March 4, 1801," in *Inaugural Addresses of the Presidents of the United States From George Washington to Richard Milhous Nixon* (Washington, D. C., 1974), 13-16.

2. Jefferson, "First Inaugural Address," in *ibid.*, 15, 16. These same beliefs are also evident in his letters to Elbridge Gerry, January 26, 1799, and to Gideon Granger, August 13, 1800, in Andrew Lipscomb and Albert E. Bergh, eds., *The Writings of Thomas Jefferson* (20 vols., Washington, D. C., 1903-1904), X, 74-86, 166-170. See also Jefferson to John Taylor, May 28, 1816 and to Samuel Kercheval, July 12, 1816, in Lipscomb and Bergh, ed., *Writings of Jefferson*, XV, 32-44, 70-73.
3. See Philip S. Paludan, "The-American Civil War Considered as a Crisis in Law and Order," *AHR*, 77 (October 1972), 1013-1034, especially 1015-1016. As he writes, "the weakness that arises from too nationalistic a focus is that the nation these historians describe was a federal union of the states with a national government singularly inactive, a prevailing constitutional philosophy that discouraged national activity, and a population that feared its excesses." While Paludan is certainly correct in his statement that many Northerners shared this limited concept of the Union, he nevertheless overlooks the fact that many of those who subscribed to this brand of federalism were actually opponents of Lincoln and the Republican party and in fact viewed their triumph in 1860 as a distinct threat to their concept of the American government. In other words, Northern proponents of a federal government were not, as Paludan argues, the major voice in denouncing secession as a threat to the Union. If anything, these Northern spokesmen for limited government were sympathetic to the South. On this point, see notes 34-41. For the Republican party's view of the Union and its difference from that described by Paludan, see Paul C. Nagel, *One Nation Indivisible: The Union in American Thought, 1776-1861* (New York, 1964) and Major L. Wilson, *Space, Time, and Freedom: The Quest for Nationality and the Irrepressible Conflict, 1815-1861* (Westport, Connecticut, 1974).
4. Richard K. Crallé, ed., *The Works of John C. Calhoun* (6 vols., Charleston and New York, 1851-1856), VI, 135. See also the inaugural addresses of Martin Van Buren, William Henry Harrison, James K. Polk, and Franklin Pierce, in *Inaugural Addresses of the Presidents*, 67-68, 72-74, 90, and 109. According to Jefferson Davis, "the many blessings for which we are indebted to our ancestry, is that of transmitting to us a written Constitution; a fixed standard to which, in the progress of events, every case may be referred, and by which it may be measured. But for this, the wise men who formed our Government dared not have hoped for its perpetuity; for they saw floating down the tide of time wreck after wreck, marking the short life of ever Republic which had preceded them. With this, however, to check, to restrain, and to direct their posterity, they might reasonably hope the Government they founded should last forever; that it should secure the great purposes for which it was ordained and established; that it would be the shield of their posterity equally in every part of the country. . . ." ("Speech on Resolutions Concerning the Relations of the States, May 8, 1860," in Dunbar Rowland, ed., *Jefferson Davis, Constitutionalist: His Letters, Papers, and Speeches* [10 vols., Jackson, Mississippi, 1923], IV, 250.
5. Jonathan Elliot, ed., *The Debates in the State Conventions on the Adoption of the Federal Constitution* (4 vols., Washington, D. C., 1827-1830; 5 vols., Philadelphia, 1836), II, 39; IV, 82. For Thomas Jefferson's views on limited government and the rights of states as well as the importance of state-local governments, see his *Notes on the State of Virginia* (New York, 1861, 1964), 110-124, 125-148; Dumas Malone, *Jefferson the President: First Term, 1801-1805* (Boston, 1970), xvi-xviii, xxii, 153-154; Adrienne Koch, *Jefferson and Madison: The Great Collaboration* (New York, 1950, 1964), 43-44; and Adrienne Koch, *The Philosophy of Thomas Jefferson* (New York, 1943; Chicago, 1964), especially Chap. XV, "Natural Rights," 133-148; Chap. XIII, "Republicanism," 149-161; and Chap. XVII, "Wards," 162-165. See also Thomas Jefferson to Elbridge Gerry, January 26, 1799; to Gideon Granger, April 13, 1800; to W. H. Torrance, June 11, 1815; and to Joseph Cabell, February 2, 1816, all in Lipscomb and Bergh, eds., *The Writings of Thomas Jefferson*, X, 74-86, 166-170; XIV, 303-306, 420. As Jefferson wrote to Gerry, "I am for preserving to the States the powers not yielded by them. to the Union, and to the legislature of the Union its constitutional share in the division of powers; and I am not for transferring all the powers of the States to the General Government, and all those of that government to the executive branch." For similar sentiments about the importance of states in America's federal scheme of government, see the inaugural addresses of Martin Van Buren and Franklin Pierce, in *Inaugural Addresses of the Presidents*, 62-63, 65-66, 105. See also Franklin Pierce, "First First Annual Message, December 5, 1853" and James Buchanan, "Veto Message, February 1, 1860," in James D. Richardson, ed., *A Compilation of the Messages and Papers of the Presidents* (20 vols., Washington, 1897-1917), V, 207-226, 599-607. Also important for Jefferson's beliefs in limited government and the separation of powers are his letters to Abigail Adams, July 22, September 11, 1804, in Lester J. Cappon, ed., *The Adams-Jefferson Letters* (2 vols., Chapel Hill, 1959), I, 275, 279.
6. James Monroe to the Speakers of the General Assembly and of the Senate [of Va.], December 6, 1802, in Stanislaus M. Hamilton ed., *The Writings of James Monroe* (7 vols., New York, 1898-1903), II, 374. See also Monroe's opinion of excessive debt and its consequences in his letter to Jefferson" July 18, 1790, in *ibid.*, I, 211-214. Along the same lines, see Jefferson's letter to John Adams, November 25, 1816, in Lipscomb and Bergh, eds., *The Writings of Jefferson*, XV, 81-87. As Jefferson noted, the eternal wars of England and the financial policies of George III and William Pitt with its deficit spending "have mortgaged to its full value the last foot of their soil." In its present condition, he added, England was an example of how not to conduct government. See also Jefferson to John Adams, December 16, 1816, in *ibid.*, 87-92.
7. See James Madison, "Speech in the First Congress, April 9, 1789," in Gaillard Hunt, ed., *The Writings of James Madison* (9 vols., New York, 1900-1910), V, 339-343. In Madison's words, "I own myself the friend to a very free system of commerce, and hold it as a truth, that commercial shackles are generally unjust, oppressive, and

impolitic.” In general, he added, “commerce ought to be free, and labor and industry left at large to find its proper object.” As Jefferson expressed it, “could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and happiness.” (“Report on the privileges and restrictions on the commerce of the United States in foreign countries,” December 16, 1793, in Lipscomb and Bergh, eds., *The Writings of Jefferson*, III, 275.) For Jefferson’s emphasis upon agriculture, free trade, low taxes, and economy in government see Koch *The Philosophy of Thomas Jefferson*, 170-185. See also Drew R. McCoy, “Republicanism and American Foreign Policy: James Madison and the Political Economy of Commercial Discrimination, 1789 to 1794,” *W&MQ*, 3rd series, 31 (October 1974), 633-646. As McCoy notes, the purpose of Madison’s economic policy was not to foster manufactures but to “insure the opening of adequate foreign markets for American agricultural surpluses. This in turn would encourage further westward expansion and, most important, secure the institutional and moral base for . . . republicanism.” In short, it was designed “to preserve and expand across space the predominantly agricultural character of American society.” For John C. Calhoun’s agreement on these subjects, see above and also Theodore R. Marmor’s article, “Anti-Industrialism and the Old South: The Agrarian Perspective of John C. Calhoun,” in Stanley N. Katz and Stanley L. Kutler, eds., *New Perspectives on the American Past* (2 vols., Boston, 1969), I, 491-522. While it is true that Jefferson later advocated protection and endorsed manufactures, he did so in response to the unsettled economic conditions of the period 1801-1815. In no fashion, however, did he abandon his free-trade, Physiocratic views. For the supposed contradictions in Jefferson’s economic thought, see William D. Grampp, “A Re-Examination of Jeffersonian Economics,” *SEJ*, 12 (January, 1946), 263-282.

- 8 The terminology described above can best be followed in the *Inaugural Addresses of the Presidents* and in Richardson, ed., *Messages and Papers of the Presidents*. See also Nagel, *One Nation Indivisible*. Benjamin Huger’s description of the Union is from *ibid.*, 34.
- 9 Nagel *One Nation Indivisible*, 11, 13, 20, 21. Pierce Butler’s quote is from Max Farrand, ed., *The Records of the Federal Convention* (4 vols., New Haven, 1911, 1937), II, 302-303. For Justice Story’s later and much different views on the nature of the Union, see James McClellan, *Joseph Story and the American Constitution* (Norman, Okla., 1970).
- 10 Crallé, ed., *Works*, VI, 68. For Jefferson’s belief in the right of secession, see Dumas Malone, *Thomas Jefferson and the Ordeal of Liberty* (Boston, 1962), 420-421. For James Madison’s beliefs, see his “Notes on Nullification,” in Hunt, ed., *Writings of James Madison*, IX, 573-607. Curiously, Madison maintained his belief in the right of revolution while denying the doctrine of state interposition. See also Adrienne Koch, “Madison’s Advice to My Country” (Princeton, 1966).
- 11 R. M. T. Hunter, to James R. Micou and others, December 10, 1860, in Charles H. Ambler, ed., “Correspondence of Robert M. T. Hunter, 1826-1876,” in the *Annual Report of the American Historical Association for the Year 1916* (2 vols., Washington, D. C., 1918), II, 340-341.
- 12 James Madison, “First Inaugural Address, March 4, 1809,” in *Inaugural Addresses of the Presidents*, 23-25.
- 13 James Monroe, “Eighth Annual Message, December 7, 1824,” in Israel, ed., *State of the Union Messages*, 214-230. See also his Second Annual Message, November 6, 1818, in *ibid.*, 156-165.
- 14 “Rough Draft of First Inaugural Address, March 4, 1829,” in John Spencer Bassett, ed., *Correspondence of Andrew Jackson* (7 vols., Washington, D. C., 1926-1935), IV, 11-13. Compare, however, with the printed address in which he hoped “to be animated by a proper respect for those sovereign members of our Union,” which can be interpreted as a softening of position. (See *Inaugural Addresses of the Presidents*, 55-57.) See also Jackson to Robert Y. Hayne, February 8, 1831; and “Notes for Maysville Road Veto, May 19-26?, 1830” in *ibid.* IV, 241, 137-139. Jackson, of course, would later change his position. In fact, his political views after 1828-1830 demonstrated a heightened nationalism that belied his earlier states’ rights pronouncements.
- 15 Martin Van Buren, “Second Annual Message, December 3, 1838,” in Israel, ed., *State of the Union Messages*, 494-517; “Fourth Annual Message, December 5,” in *ibid.* 555.
- 16 William Henry Harrison, “Inaugural Address, March 4, 1841,” in *Inaugural Addresses of the Presidents*, 71-87, especially 83. Of all the inaugural speeches, Harrison’s is the most philosophical and embodies perfectly the republicanism of the Founding Fathers, including their emphasis upon limited-balanced government and the separation of powers (to control power) as well as their insistence on virtue and public spiritedness. It also contains allusions to ancient history (Greece and Rome) as well as more modern history (Cromwell and Bolivar) to show that republics decayed from within. As he warned, “no division of powers, no distribution of checks in its several departments, will prove effectual to keep us a free people if this spirit [of liberty and patriotism] is suffered to decay; and decay it will without constant nurture. To the neglect of this duty the best historians agree in attributing the ruin of all the republics with whose existence and fall their writings have made us acquainted.” He then cites the examples of Caesar, Cromwell, and Simon Bolivar.
- 17 James K. Polk, “Inaugural Address, March 4, 1845,” in *Inaugural Addresses of the Presidents*, 89-98. In his “Third Annual Address, December 7, 1847,” Polk used the term, “the glorious Union of confederated States,” to describe the government of America. See Israel, ed., *State of the Union Messages*, 730.
- 18 Millard Fillmore, “First Annual Message, December 2, 1850,” in Israel, ed., *State of the Union Messages*, 792-808.

- 19 Franklin Pierce, "First Annual Message, December 5, 1853," in *ibid.*, 856-875, especially 862, 868.
- 20 Franklin Pierce, "First Annual Message, December 5, 1853," in Israel, ed., *State of the Union Messages*, 861, 862; "Inaugural Address, March 4, 1853" in *Inaugural Addresses of the Presidents*, 108. The central themes of Pierce's addresses were (1) the principles of 1776; (2) the success of America's extended Republic; (3) the dangers of a concentration of power and hence the need for a proper distribution of power; (4) the dangers of a standing army; and (5) the lessons of the past. Pierce also believed "that involuntary servitude, as it exists in different States of this Confederacy, [was] recognized by the Constitution."
- 21 Franklin Pierce, "Second Annual Message, December 4, 1854," in Israel, ed., *State of the Union Messages*, 875-895.
- 22 James Buchanan, Inaugural Address, March 4, 1857, in *Inaugural Addresses of the Presidents*, 111-117. Interestingly enough, not one of 400 amendments proposed between 1803 and 1860 was adopted. See Herman V. Ames, "Amendments to the Constitution of the United States," in *Papers of the American Historical Association* (New York, 1891), vol. 5, 17-29.
- 23 John C. Calhoun, "A Discourse on the Constitution and Government of the United States," in C. Gordon Post, ed., *A Disquisition on Government and Selections from the Discourse* (Indianapolis, 1953), 85; "Address on the Relation of the States and the General Government," 1831, in Crallé, ed., *Works*, VI, 59-94, especially 60-61, 65.
- 24 Post, ed., *A Disquisition on Government and Selections from the Discourse*, 85.
- 25 John C. Calhoun, "Speech in the Senate on Repeal of the Force Bill, April 9, 1834," in Crallé, ed., *Works*, VI, 376-405, especially 380-381, 387; "Speech on the Removal of the Deposits, 1834," in *ibid.*, II, 337.
- 26 White, *Robert Barnwell Rhett*, 43; Jefferson Davis, "Speech on Resolutions Concerning the Relations of the States, May 8, 1860," in Dunbar Rowland, ed., *Jefferson Davis, Constitutionalist*, IV, 253-254; Alexander H. Stephens, "Speech after being elected Vice-President [of the Confederate States of America]," in Henry Cleveland, *Alexander H. Stephens in Public and Private with Letters and Speeches*. . . (Philadelphia, 1866) 158; Stephens, "Speech on the Admission of Oregon, February 12, 1859," in *ibid.*, 121; Jefferson Davis, "Speech at New York City, October 19, 1858," in Rowland, ed., *Jefferson Davis, Constitutionalist*, III, 332-339.
- 27 R. M. T. Hunter to James R. Micou and others, December 10, 1860, in Ambler, ed., *Correspondence of Hunter*, 343; John P. Frank, *Justice Daniel Dissenting: A Biography of Peter V. Daniel, 1784-1860* (Cambridge, Mass., 1964), vii-viii, 153, 154. See also Robert J. Turnbull, *Observations on State Sovereignty, Federal Usurpations, and State Interposition* (New York, 1850); Willie P. Mangum, "Speeches on the Election of 1824 [February 3, 7, 1825]" and Webster's "Judicial Bill [January 10, 1826]" in Shanks, ed., *Papers of Willie P. Mangum*, V, 487-500, 500-519; John Rowan [Bardstown, Kentucky] to Nathan Gaither, December 27, 1832, in Charlotte, N. C., *Miners' & Farmers' Journal*, March 9, 1833; and the Halifax, N. C. *Roanoke Advocate*, December 13, 1832. See also "A Virginian" [Littleton Waller Tazewell?], Nos. 1-5, in *ibid.*, January 10, 17, 24, 31, February 7, 1833; and "Our For Fathers, and Ourselves," *ibid.*, January 10, 1833. Both of these articles compared 1832 with 1776. For other examples, see the newspapers listed in the bibliography for the 1820's and 1830's, all of which contain numerous references to states' rights and the Union of the States.
- 28 "On the Constitution of the United States," *SR*, II (May, 1828), 273-320.
- 29 "Rights of the Slave States," *SQR*, new series, III (January, 1851), 101-145, especially 140, 141, 145. See also *ibid.*, II (November, 1850), 493-494.
- 30 Augusta, Ga., *State Rights Sentinel*, September 8, 1835. See also preface to *Georgia Scenes* (1969 reprint).
- 31 Augusta, Ga., *State Rights Sentinel*, August 4, 1835. See also files of that paper for 1834-1836 (microfilm at the University of Texas and copy in possession of author).
- 32 Augustus B. Longstreet, *Georgia Scenes: Characters, Incidents, & c. in the First Half Century of the Republic by a Native Georgian* (New York, 1840; New York, 1969), 110-111.
- 33 *Georgia Scenes*, 110-111. "As in the days of Mr. Jefferson," he added, "the Springfield doctrine prevailed, Campbellton was literally nullified."
- 34 Marcus Morton to Calhoun, December 8, 1828, in Robert L. Meriwether, W. Edwin Hemphill, and Clyde N. Wilson, eds. *The Papers of John C. Calhoun* (10 vols. to date, Columbia, S. C., 1959-1977), X 436-439. See also Morton to Calhoun, January 6, 1829, in *ibid.*, X, 543-545.
- 35 William C. Anderson and others to Calhoun, November 6, 1845, in Chauncey S. Boucher and Preston Brooks, eds., "Correspondence Addressed to John C. Calhoun, 1837-1849," *Annual Report of the American Historical Association for the Year 1929* (Washington, D. C., 1930), 307-308.
- 36 C. A. Clinton to Calhoun, March 21, 1846, in *ibid.*, 334-335; Francis Wharton to Calhoun, August 21, 1844, in *ibid.*, 245-246. See also L. H. Morgan (Rochester, N. Y.) to Calhoun, June 30, 1848, *ibid.*, 445-446; P. G. Buchan (Rochester, N. Y.) to Calhoun, April 10, 1843; Edward J. Black (Washington, D. C.) to Calhoun, January 8, 1844; William Hale (Detroit) to Calhoun, May 18, 1844; J. Van Every (Rochester, N. Y.) to Calhoun, March 4, 1846; F. W. Byrdsall (New York City) to Calhoun, February 22, 1847; J. Winslow (New York City) to Calhoun, February 1, 1848; Chesselden Ellis (New York City) to Calhoun, July 5, 1848, all in *ibid.*, 182-184, 202-204, 231-234, 527-329, 368-369, 428-429, 447-448. See also John Hogan (Utica, N. Y.) to Willie P. Mangum, in Henry T. Shanks, ed., *Papers of Willie P. Mangum*, V, 147-149; and Jefferson Davis to William J. Brown [Washington], May 7, 1853, in Rowland, ed., *Jefferson Davis, Constitutionalist*, II, 217-218. Further insight can be gained from George M. Dennison *The Dorr War: Republicanism on Trial, 1836-1861* (Lexington, Ky., 1976). See also the

Augusta, Ga., *Chronicle*, March 15, 1834, referring to the “good, old fashioned Democrats of the Jefferson School” and “Democrats of the ‘98 school” in New Jersey. For Connecticut and Massachusetts, see the Litchfield, Conn. *Sun* (quoted in the Raleigh, N. C., *Standard*, May 15, 1835) and the Boston *Commercial Gazette* (quoted in the Halifax, N. C., *Roanoke Advocate*, January 24, 1833). As Chauncey S. Boucher has written, one of the important features of the Webster-Hayne debate “was the endorsement of Hayne’s position by certain men from all parts of the South.” (*The Nullification Controversy in South Carolina* [Chicago, 1916], 65.)

- 37 Louis R. Harlan, ed., “The Autobiography of Alexander Long, 1858,” in *Bulletin of the Historical and Philosophical Society of Ohio*, XIX ((April, 1861), 100, 104-114, 116-127.
- 38 Harlan, ed., “Autobiography of Alexander Long,” 114-115.
- 39 Ibid., 100-101, 102-103. See also Long’s speeches in the House of Representatives, April 8, 9, 11, 12, 14, attacking President Lincoln for his Emancipation Proclamation and his suppression of civil liberties. *Cong. Globe*, 38th Cong., 1st sess., 1499-1519, 1533-1557, 1577-1607, 1618- 1635.
- 40 Robert Johannsen, *Stephen A. Douglas*, 54-55, 482- 483; Harry V. Jaffa, *Crisis of the House Divided: An Interpretation of the York*, (1959), 44, 47, 114. Although confined to the philosophical differences between Lincoln and Douglas, Jaffa’s analysis in effect highlights the two rival ideologies of the Middle Period, the republican ideology of the Southern planters and the plain-republicans of the North (Northern men of Southern principles) and the newly emerging democratic-capitalistic ideology associated with the Whig and Republican parties. Jaffa also views Lincoln as going beyond the ideas and ideals of the Founding Fathers and pointing toward “a new birth of freedom.” In effect, he writes, Lincoln was saying that the work of the Founding Fathers was incomplete and if the good allegedly possessed by theme, [was] truly to be achieved,” an even greater crisis than that of 1776 or 1787 must be passed. As Jaffa makes clear, too, this “new birth of freedom” was “not a mere renewal of the old; it [was] also a transcendence of it.” (Ibid., 191-192, 225, 236, 271.) See also Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party on the Eve of Civil War* (New York, 1970) and Major L. Wilson, *Space, Time, and Freedom: The Quest for Nationality and the Irrepressible Conflict* (Westport, Conn., 1974).
- 41 Stockton to Whetstone, et al., March 11, 1852, in Rowland, ed., *Jefferson Davis: Constitutionalist*, II, 172- 173. Significantly, Richard Stockton had been a signer of the Declaration of Independence.
- 42 William C. Wright, *The Secession Movement in the Middle Atlantic States* (Madison, Teaneck, Rutherford, N. J., 1973), 21. As Jeffersonson Davis wrote in *The Rise and Fall of the Confederate Government* (2 vols., New York, 1881; abridged ed., 1961), “it is a great mistake to assume that, at the period under consideration, the Southern States stood alone in the assertion of the . . . right of secession and the wrongs of coercion.” Indeed, “the one was distinctly admitted, the other still more distinctly disavowed and repudiated, by many of the leaders. . . in the North of both parties.” (Ibid., 131.) As Wright notes, however, after Ft. Sumter, “scarcely a vestige of them were left. Not only were they obliterated, but seemingly forgotten.” (*Secession Movement in the Middle Atlantic States*, 14-15.) See also Frank L. Klement, *The Copperheads of the Middle West* (Chicago, 1960) and *Clement L. Vallandigham & the Civil War: The Limits of Dissent* (Lexington, Ky., 1970). According to Klement, Vallandigham was a conservative and a Democrat of the old school who “knew the Kentucky Resolutions of 1798 by heart and claimed they were part of his creed.” Indeed, “he regarded himself as a disciple of Jefferson.” (Klement, *Vallandigham and the Civil War*, 314.) Important in this connection, too, is G. R. Tredway, *Democratic Opposition to the Lincoln Administration in Indiana* (Indianapolis, 1973); Richard O. Curry, *A House Divided: A Study of Statehood Politics and the Copperhead Movement in West Virginia* (Pittsburgh, 1964); George W. Smith and Judah C. Smith, eds., *Life in the North During the Civil War: A Source History* (Albuquerque, N. Mexico, 1966); and David E. Meerse, “The Northern Democratic Party and the Congressional Elections of 1858,” *CWH*, XIX (June, 1973), 119-137. For specific individuals, see General Henry A. S. Dearborn; Fernando Wood; George W. Jones of Iowa (U. S; Senator, 1848- 1859; U. S. Minister to Bogota, 1859-1861); Joseph Scoville of New York (journalist, editor of the *Spectator*); Chesselden Ellis of New York (U. S. Representative, 1843-1845); Gerard Hallock of New York (co-editor of the *Journal of Commerce*) and associate of the Hudson River Rail Road Company); and Rushmore G. Horton of New York (editor and James Buchanan’s campaign biographer). See also Sajel S. Cox, Thomas A. Love, David L. Medlar, and William Allen, all of Ohio. Many more examples can be found in the *DAB* as well as in histories of the various Northern states. For the standard view of the Copperheads, see Wood Gray, *The Hidden Civil War: The Story of the Copperheads* (New York, 1942) and George Fort Milton, *Abraham Lincoln and the Fifth Column* (New York, 1942).
- 43 As Jefferson Davis declared, “the principles . . . set forth in the foregoing chapters, although they had come to be considered as peculiarly Southern, were’ not sectional in their origin. In the beginning and earlier years of our history they were cherished as faithfully and guarded as jealously in Massachusetts and New Hampshire as in Virginia or South Carolina.” (*Rise and Fall of the Confederate Government*, 97.) The writer owes a very special debt to Clyde N. Wilson, Jr., editor of *The Papers of John C. Calhoun*, for sharing his own research on this neglected aspect of ante- bellum American politics. It is his belief, and one shared here, that further study of this “other North” is essential to a better understanding of antebellum American history. Not only does it reveal the revolutionary principles of Abraham Lincoln and the Republican Party, but it also demonstrates that pro-slavery and secession sentiments were not confined to the South. See also V. Jacque Voegeli, *Free But Not Equal: The Midwest and the Negro During the Civil War* (Chicago, 1967) and Lorman Ratner, *Power Keg: Northern Opposition to the Antislavery Movement, 1831-1840* (New York, 1968). For the latest study of the Copperheads,

see Jennifer L. Weber, *Copperheads: The Rise and Fall of Lincoln's Opponents in the North* (New York, 2006). "Besides their desire for peace, the common denominator for all conservatives was their concern about personal liberties. Peace men were strict constructionists about the Constitution. . . . They considered themselves the heirs of Andrew Jackson and Thomas Jefferson. . . . Like Jefferson and Jackson, the Copperheads drank deeply from an old ideology, republicanism, that warned against tyranny, executive usurpation, and big government." (Ibid., 4.)

- 44 Jefferson Davis to H. R. Davis and others', October 6, 1848; "Speech at Boston, 1858," in Rowland, ed., *Jefferson Davis, Constitutionalist*, I, 213-217; III, 332; Louis R. Harlan, ed., "Autobiography of Alexander Long, 1858," in *Bulletin of the Historical and Philosophical Society of Ohio*, XI (April 1961), 114-115. See also Davis' "Speech at the Democratic State Convention, Jackson, Miss., July 6, 1859," in Rowland, ed., *Jefferson Davis, Constitutionalist*, IV, 61-88. As Davis commented, the Democratic Party was a national party and its principles had prevailed for more than fifty years. See also J. A. Stuart to John C. Calhoun, October 11, 1841, in Boucher and Brooks, eds., *Correspondence Addressed to Calhoun*, 162-163; Henry S. Acker (Pottsville, Pa.) to R. M. T. Hunter, June 8, 1860, in Ambler, ed., *Correspondence of Hunter*, 333-334.
- 45 *Report of a Special Committee of the Senate of South Carolina, on the Resolutions Submitted by Mr. Ramsay, on the Subject of State Rights* (Columbia, S. C. 1827), 6-7; "Brutus" [Robert J. Turnbull], *Essays on the Origin of the Federal Government*. . . (Charleston, 1830), 4; Jefferson Davis, "Remarks on the River and Harbor Bill, March 1, 1851," in Rowland, ed., *Jefferson Davis: Constitutionalist*, II, 43-44.
- 46 Thomas Cooper, *Consolidation. An Account of Parties in the United States, from the Convention of 1787, to the Present Period* (Columbia, 1824), 1, 3, 4, 6, 17; "On the Constitution of the United States," *SR*, 11 (May, 1828), 281; "Brutus" [Robert Turnbull], *The Crisis* (Charleston, 1827), 16-17. See also the speeches by Jefferson Davis at Portland, Maine, August 24, 1858 and on board the Joseph Whitney, July 4, 1858, in Rowland, ed., *Jefferson Davis: Constitutionalist*, III, 271-273, 295-305.
- 47 John C. Calhoun "Address to the People of South Carolina," 1831, in Crallé, ed., *Works*, VI, 125, 127-128; Reply to Mr. Simmons, February 20, 1847, in *ibid.*, 353, 355, 357. See also "Brutus" [Robert Turnbull], *Essays on the Origin of the Federal Government*, 18-19.
- 48 Reply to Mr. Simmons, in Crallé, ed., *Works*, VI, 355; Cooper, *Consolidation*, 2-3, 4; *SQR*, III (January, 1851), 109. See also Andrew Johnson, "First Inaugural Address, October 17, 1853," in Leroy P. Graf and Ralph W. Haskins, eds., *The Papers of Andrew Johnson* (2 vols. to date, Knoxville, Tenn., 1968-1970), II, 172-183, especially 174.
- 49 "Brutus" [Robert Turnbull], *The Crisis*, 15. See also Alexander H. Stephens, "Speech before the Maryland Institute in Commemoration of the Birthday of Washington, Baltimore, February 23, 1852," in Cleveland, *Alexander H. Stephens*, 354.
- 50 Quoted in Charles G. Sellers, *Andrew Jackson, Nullification, and State Rights*, 22. See also Henry Adams, *The United States in 1800* (Ithaca, New York, 1955, 1966), 99-102. As Franklin Pierce expressed it in 1853, the American people expected "a devoted integrity in the public service and an observance of rigid economy in all departments." ("Inaugural Address, March 4, 1853") in *Inaugural Addresses of the Presidents*, 107.) "It is beyond all question the true principle," stated James Buchanan, "that no more revenue ought to be collected. . . . than the amount necessary to defray the expenses of a wise, economical, and efficient administration of the Government." (Ibid., 114.)
- 52 Marshall Smelser, *The Democratic Republic, 1801-1815* (New York, 1968), 47-57; Dumas Malone, *Jefferson the President: First Term, 1801-1805* (Boston, 1970), 101-106; Jefferson, "Second Inaugural Address, March 4, 1805," in *Inaugural Addresses of the Presidents*, 17-18.
- 53 Paludan, "The American Civil War Considered as a Crisis in Law and Order," 1021.
- 56 Cunliffe, *Soldiers and Civilians*, 54; John C. Calhoun, "Remarks in the Senate on the Proposed Increase of the Army, February 16, 1837," in Crallé, ed., *Works*, III, 28-36; Jefferson Davis, "Speech on Bill to Increase the Army, February 10, 11, 1858," in Rowland, ed., *Jefferson Davis, Constitutionalist*, III, 175-214. See also Elbridge Gerry to Thomas Jefferson, January 20, 1801, in Knight, ed., *Elbridge Gerry's Letterbooks*, 79-85. Gerry was expressing his views against "a powerful navy."
- 57 Andrew Jackson, "First Inaugural Address, March 4, 1829, in *Inaugural Addresses of the Presidents*, 56; James Monroe, "First Inaugural Address, March 4, 1817," *ibid.*, 33. See also Andrew Johnson, "Remarks on Military and Naval Appropriations," in Graf and Haskins, eds., *The Papers of Andrew Johnson*, II, 78-83.
- 58 Andrew Jackson, "First Inaugural Address," in *Inaugural Addresses of the Presidents*, 56-57.
- 59 Smelser, *The Democratic Republic*, 54-55; James Monroe, "Second Inaugural Address, March 5, 1821," in *Inaugural Addresses of the Presidents*, 38, 42; James Madison, "Seventh Annual Message, December 15, 1815," in Israel, ed., *State of the Union Messages*, 133-139; and the financial reports of Albert Gallatin and Alexander J. Dallas in Ferguson, ed., *Selected Writings of Gallatin*, 207-210. See also James K. Polk, "Inaugural Address, March 4, 1845," in *ibid.*, 94; Hughes and Rosenberg, "The United States Business Cycle Before 1860," 482-492.
- 60 Andrew Jackson, "First Inaugural Address, March 4, 1829," in *Inaugural Addresses of the Presidents*, 56; Martin Van Buren, "Third Annual Message, December 2, 1839," in Israel, ed., *State of the Union Messages*, I, 523; Polk, "Inaugural Address," in *Inaugural Addresses of the Presidents*, I, 93. See also James Buchanan, "First Annual Message, December 8, 1857," in Richardson, ed., *Messages and Papers of the Presidents*, V, 461. See also Cunliffe, *Soldiers and Civilians*, 56; J. R. T. Hughes and Nathan Rosenberg, "The United States Business Cycle

- before 1860,¹¹ *EHR*, 2nd ser., XV (1963), 486; Davis and Legler, "The Government in the American Economy," 523.
- 61 John C. Calhoun to Samuel D. Ingham, November 6, 1820 (Calhoun Papers, SCL/USC, typescripts); Martin Van Buren, "Third Annual Message to Congress, December 2, 1839," in Israel, ed., *State of the Union Messages*, 522, 523.
 - 62 Carter Goodrich, "National Planning of Internal Improvements," *Pol. Sci. Quarterly*, 63 (March 1948), 1044. As he writes, "States' rights, state and sectional interests, and a belief in the capacities of the several states seem to have played the decisive role in the downfall of national planning." (*Ibid.*, 39.) See also Carter G. Goodrich, "The Virginia System of Mixed Enterprise: A Study of State Planning of Internal Improvements," *Pol. Sci. Quart.*, 64 (September 1949), 355-387. Of the fifty vetoes between 1790 and 1860, eighteen were related to internal improvement bills, four were related to banks, two concerned the tariff, one each were against the homestead law, and the granting of a subsidy for ocean mails. See Felton M. Johnston and Richard D. Hupman, eds., *Presidential Vetoes: List of Bills Vetoed and Action Taken Thereon by the Senate and House of Representatives, 1790-1861* (New York, 1968). See also James D. Richardson, ed., *A Compilation of the Messages and Papers of the Presidents, 1789-1897* (20 vols., Washington, D. C., 1897-1917), V, iii; William F. Willoughby, "State Activities and Politics," in *Papers of the American Historical Association* (New York, 1891 (New York, 1891), 113-127; Franklin Pierce, "First Annual Message, December 3, 1853," in Richardson, ed., *Messages and Papers of the Presidents*, V, 218-219; John C. Calhoun, "Speech on Bill to set aside Bank Dividends as a permanent Fund for the construction of Roads and Canals, February 4, 1817," in Crallé, ed., *Works*, II, 186-196.
 - 63 Lance E. Davis and John Legler, "The Government in the American Economy, 1815-1902: A Quantitative Study," *J. of Econ. History*, 26 (December 1966), 516. See also Carter Goodrich, ed., *The Government and the Economy* (Indianapolis, 1967).
 - 64 James Monroe, "First Inaugural Address, March 4, 1817," in *Inaugural Addresses of the Presidents*, 33; Andrew Jackson, "Second Inaugural Address, March 4, 1833," in *ibid.*, 56; J. R. T. Hughes and Nathan Rosenberg, "The United States Business Cycle before 1860," *Econ. Hist. Rev.*, 2nd series, 15 (1963), 486.; Davis and Legler, "The Government in the American Economy," 523.
 - 65 Jefferson Davis, "Remarks on a bill to remit the duties [tolls] and make free the navigation of the Louisville and Portland Canal, December, 23, 1850," in Rowland, ed., *Jefferson Davis: Letters, Papers, and Speeches*, III, 10-12.
 - 66 Jefferson Davis, "Views on the Pacific Railway," in *ibid.*, III, 256-261. Davis' remarks were first published in the Washington, D. C., *Union*, July 31, 1853.
 - 67 "Old Virginia," in *ibid.*
 - 68 "Old Virginia," in *ibid.*
 - 69 "Old Virginia," in *ibid.*
 - 70 Martin Van Buren, "First Annual Message, December 5 1837, in Israel, ed., *State of the Union Messages*, 472-494. See also Glyndon G. Van Deusen, *The Jacksonian Era, 1828-1848* (New York, 1959), 124-129, 204-206.
 - 71 Martin Van Buren, "Third Annual Message, in Israel, ed., *State of the Union Messages*, 537, 539. See also John C. Calhoun, "Speech on the Independent Treasury Bill, February 15, 1838," in Crallé, ed., *Works*, III, 202-2i3. "All I insist on," said Calhoun, "is, that the Government shall separate them [bankina and government]."
 - 72 John Adams to Benjamin Rush, January 25, 1806, in Schutz and Adair, eds., *The Spur of Fame*, 47-48.
 - 73 Crallé, ed., *Works*, II, 153-162.
 - 74 Quoted in Grampp, "Jeffersonian Economics," 269.
 - 75 Millard Fillmore, "econd Annual Niessage, December 2, 1851," in Israel, ed., *State of the Union Messages*, 823. For continued agrarian sentiment, see the Charlotte, N. C. *Miners' & Farmers' Journal*, June 22, 1833 ("The Character of a Complete Farmer"); July 6, 1833 ("The Cause of Farmers"); November 8, 1834 ("Agriculture and Civilization"); November 22, 1834 ("The Relative Pleasures and Profits of Agriculture").
 - 76 This theme of self-sufficiency was also stressed by James Monroe in his "First Inaugural Address, March 4, 1817 in *Inaugural Addresses of the Presidents*, 34. As he observed, possessing as we do all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent the sudden event of war, unsought and unsuspected, can not fail to plunge us into the most serious difficulties."
 - 77 John C. Calhoun, "Speech on the 'New Tariff Bill, April 6, 1816," in Crallé, ed., *Works*, II, 165, 166.
 - 78 Crallé, ed., *Works*, II, 171-173. 79
 - 79 Crallé, ed., *Works*, II 166-167.
 - 80 James K. Polk, "First Annual Message, December 2, 1845," in Israel, ed., *State of the Union Messages*, 1, 651,652; Jefferson Davis to the People of Mississippi, July 13, 184, in Rowland, ed., *Jefferson Davis, Constitutionalist, Speeches*, I, 52-58; Jefferson Davis, "Speech in Senate on the civil appropriations bill, March, 2, 1859," in *ibid.*, 41-51. See also Millard Fillmore, "First Annual Message, December 2, 1850," in Richardson, ed., *Messages and Papers of the Presidents*, V, 84. According to Fillmore, "a high tariff can never be permanent. It will cause dissatisfaction, and will be changed. It excludes competition, and thereby invites the investment of capital in manufactures to such excess that when changed brings distress, bankruptcy, and ruin." See also Zachary Taylor, "First Annual Message, December 5, 1849," in Richardson, ed., *Messages and Papers of the Presidents*, V, 84.

- 81 In general, see George Dangerfield, *The Era of Good Feelings* (New York, 1952); Ross M. Robertson, *History of American Economy* (New York, 1955, 1964); and Goodrich, *The Government and the Economy*.
- 82 See, for example, the "Remonstrance of the Alabama Legislature Against An Increase of Duties on Imports, February 4, 1828," in Goodrich, ed., *The Government and the Economy*, 231-236.

Notes
Chap. 2/No Great Reaction

- 1 Draft of "An Address to the State Rights and Free Trade Association of Spartanburg and Union Districts," ca. 1830-1831 (John Winsmith Papers, SCL/USC). Southern arguments against the American System in general and the tariff in particular are best followed in John C. Calhoun, the "South Carolina Exposition," ca. November 25, 1828, in Robert L. Meriwether, W. Edwin Hemphill, and Clyde N. Wilson, eds., *The Papers of John C. Calhoun* (10 vols. to date, Columbia, S. C., 1959-1977), X, 444-534; *State Papers on Nullification* (Boston, 1834); *The Debate in the South Carolina Legislature* cited above; and Thomas R. Dew, *Lectures on the Restrictive System, Delivered to the Senior Political Class of William and Mary College* (Richmond, 1829). See also Chauncey S. Boucher, *The Nullification Controversy in South Carolina* (Chicago, 1916), especially Chap. One, "The Origins of the Conflict," 1-45. For an excellent discussion of the opposite economic philosophy, see Condy Raguet, *The Principles of Free Trade, Illustrated in a Series of Short and Familiar Essays* (Philadelphia, 1835). For the opposite view, based on the central theme of the South being slavery rather than republicanism, see George Dangerfield, *The Era of Good Feelings* (New York, 1952) and *The Awakening of American Nationalism, 1815-1828* (New York, 1965); Richard H. Brown, "The Missouri Crisis, Slavery, and the Politics of Jacksonism," *SAQ*, 65 (Winter, 1966), 55-72; and William W. Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina, 1816-1836* (New York, 1965). Freehling's idea of a reactionary South is continued in *The Road to Disunion: The Secessionists at Bay, 1776-1854* (New York, 1990) and *The Road to Disunion: Secessionists Triumphant, 1854-1861* (New York, 2007).
- 2 Winsmith, "Address"; "Report of a Committee of the [Nullification] Convention, November 24, 1832," in *State Papers on Nullification*, 1-32, especially 5-6. See also John C. Calhoun to Samuel D. Ingham, September 26, 1829 (Calhoun Papers, SCL/USC [typescripts]).
- 3 "South Carolina Exposition and Protest," in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 456, 458, 466, 474.
- 4 "South Carolina Exposition and Protest," 448; "Report of a Committee of the [Nullification] Convention, November 24, 1832," in *State Papers on Nullification*, 5. See also reports of George McDuffie's speeches in the House of Representatives against "the Prohibitory System," April-May, 1830, in the *Southern Review*, VIII (November 1831), 213-260, especially 213-223.
- 5 "South Carolina Exposition & Protest," in Meriwether, Hemphill, and Wilson, eds., *Papers of John C. Calhoun*, X, 448, 450, 452-454, 460-462, 464. See also the *Southern Review*, VIII (November 1831), 223-251. Similar sentiments are expressed in "Producers and Consumers," a review essay of Jean Baptiste Say's *Catechism of Political Economy* and *A Treatise on Political Economy*, new editions of which appeared in 1817 and 1830, respectively. "Needless to say, the doctrines of this French economist that "every tax has a tendency. . . to diminish consumption and. . . production," that the consumer feels the burden of all taxation by losing a portion of their income to unthrifty spending in consequence of that taxation, and his view that the whole system of protection was a fraud, carried great weight with Southerners. In the words of the reviewer, Say's economic treatises were almost comparable to Adam Smith's, "the two together mak[ing] all others at most but collateral." In his opinion, moreover, had the "science of Political Economy" been "understood heretofore, the Tariff would not for a day longer glare above the horizon to perplex the Councils of the Nation with portents of disastrous change. Had it been duly taught and studied, that unhappy state of things this day afflicting our country, painful to the patriot and grateful to the minions of despotism, would not have developed." In conclusion, he reiterated Southern beliefs in "freedom of industry and equality of taxation."
- 6 Robert Y. Hayne to Warren R. Davis, September 25, 1827 (Robert Y. Hayne Papers, SCL/USC). "Report of a Committee of the [Nullification] Convention, November 24, 1832," in *State Papers on Nullification*, 7-8. See also John C. Calhoun to Micah Sterling, September 1, 1828; to Christopher Vandeventer, September 8, 1828; to Micah Sterling, January 7, 1829, all in *The Papers of John C. Calhoun*, X, 414-416, 420-422, 548-549; Thomas Cooper to Robert Walsh, October 17, 1820 (Cooper Papers, SCL/USC). In a more humorous vein, see "Memoirs of a Nullifier," in James Parton, *The Presidency of Andrew Jackson*, ed. by Robert V. Remini (New York, 1967), 275-276.
- 7 "The Bank of the United States," in the *Southern Review*, VIII (November 1831), 8, 14. See also the resolutions passed at a meeting of citizens of Luzerne County, Pa., April 10, 1834, in *Senate Documents*, 23rd Cong., 1st session, Doc. No. 346. As they declared, the founders of the Republic, believing as they did in a government founded on equal rights, "abjured all monopolies." See also Doc. No. 418, Memorial of Seth Pitts of Augusta, [Maine], May 29, 1834. Pitts was requesting that his name be withdrawn from a petition in favor of the Bank of

the United States which he had signed without reading. As he stated, "I have always been opposed to the . . . Bank, and am now as much as ever. I fought for liberty in the old revolutionary war, and I don't want to die with my name to a petition for a bank which can control the Government, and have all the influence in electing our rulers, and, in the end, destroy the liberties of the people that I have always been trying to preserve."

8 "The Bank of the United States," *ibid.*, 8-9, 15.

9 "The Bank of the United States," *ibid.*, 9.

10 For an excellent summary of Southern constitutional objections against the Bank of the United States, internal improvements, and the protective system, see the article on "The Bank of the United States" in the *Southern Review*, VIII (November 1831), 1-41. As that journal declared, "where [the] Constitution has not expressly given the right and power of construction, it is usurpation to assume it." Besides, it added, "on 'a constitutional question, it is not the legislature or the judges that have the right or the power of making a precedent; it must emanate from higher constitutional authority; the States must construe the disputed clause . . . and set the precedent for themselves, by an amendment, if needed. So says our Constitution.'" To do otherwise was "opposed to every republican maxim." Indeed, the characteristic feature "of our American Republics" was "that the people, by written Constitutions, have limited and controlled their legislatures in the exercise of intrusted power." (*Ibid.*, 11) Equally valuable are "The American System" and "The Tribunal of the Dernier Resort" in *ibid.*, VI (August and November 1830), 206-254, 421-512; and "The Powers of the General Government to Construct Roads or Railroads, as Post-Roads," *SQR*, new ser., II (January 1855), 87-115. See also "Philip P. Barbour's Opinion's" as expressed in a letter to the citizens of Warren County, N. C., September 9, 1832, in the *Augusta, Ga., Chronicle*, October 20, 1832. In his opinion, "that whole system [of internal improvements]. . . [was] highly inexpedient, and . . . calculated to undermine the independence of the States and the virtue of the people, in a struggle for the spoils of the Treasury." For specific objections against a protective tariff as opposed to a tariff for revenue only, see Samuel Smith to John C. Calhoun, July 5, 1828; John C. Calhoun to Micah Sterling, January 7, 1829; Calhoun to Christopher Vandeventer, September 8, 1828; Calhoun to James Monroe, September 5, 1828, all in Meriwether, Hemphill, and Wilson, *The Papers of John C. Calhoun*, X, 394, 548-549. There were, of course, exceptions to the general statement made above. Calhoun, for example, argued that the Bank of the United States was constitutional. James Madison believed Congress had the right to enact a protective tariff. Nevertheless, there was also a broad consensus that denied these powers to Congress. For the much discussed question of Southern inconsistency in supporting the banking-tariff legislation of 1816 and later opposing it, see notes 54-94.

11 *Southern Review*, VIII (November, 1831), 6-8, 9-10, 12-13. See also Crallé, ed., *Works of Calhoun*, II, 198-199.

12 *Ibid.*, 6-8, 13-14. For a similar argument, see Thomas Cooper, *Consolidation. An Account of Parties in the United States, from the Convention of 1787, to the Present Period* (Columbia, S. C., 1831), 8, 9-10.

13 "The American System," *SR*, VI (August, 1830), 212- 213.

14 "Report of a Committee of the [Nullification] Convention, November 24, 1832," in *State Papers on Nullification*, 8; Win Smith, "Address."

15 [Robert J. Turnbull], *The Crisis*, 7; Thomas Cooper, *Hints Suggestions, Toward the Labor of a Convention*, 17; Cooper, *Consolidation*, 16, 17; Thoma Jefferson to William Branch Giles, December 26, 1825, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 146-151.

16 Cooper, *Hints, Suggestions*, 17; Turnbull, *Essays on the Origin of Government* (from the title page); "Calhoun on Government," in *SQR*, VII (April, 1853), 370; John C. Calhoun, "South Carolina Exposition," in Meriwether, et al, eds., *The Papers of John C. Calhoun*, X, 486. "Every circumstance of life teaches us the liability of delegated power to abuse. We cannot appoint an agent but without be[ing] admonished of the fact, and therefore it has become well understood and is effectually guarded against in our political institutions." ("South Carolina Exposition," in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 492.) As Calhoun warned earlier, "it is not an unusual thing for power to assume a guise; and even to appear to be the very opposite of what it really is. . . and it is not unusual for executive power. . . to make encroachments of this kind. What has been the end of all free governments, but open force, or the gradual undermining of the legislative by the executive power?" (Crallé, ed., *Works*, II, 37.)

17 John C. Calhoun, "South Carolina Exposition," in *The Papers of John C. Calhoun*, X, 486. In the words of Thomas Paine, "all delegated power is trust, and all assumed power is usurpation." (Quoted in Turnbull, *Essays on the Origin of the Federal Government*, from the title page). For Southern insistence on a written constitution and strict construction, see *SR*, VII (November 1831), 11, 13; *ibid.*, VI (August 1830), 208-209; *ibid.*, VI (November, 1830), 422-426. As it noted in its August, 1830 issue, "the influence of government upon society, is never more salutary as when it is almost exclusively negative—that it should protect mankind against force and fraud and enable them to pursue their own happiness and improvement, under the shelter of equal laws. . . ." See also Thomas Jefferson to Maj. John Cartwright, June 5, 1824, Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 42-52.

- 18 In general, see Dangerfield, *The Era of Good Feelings* and *The Awakening of American Nationalism*; Arthur M. Schlesinger, Jr., *The Age of Jackson* (Boston, 1945); Glyndon G. Van Deusen, *The Jacksonian Era, 1828-1848* (New York, 1957); Marshall Smelser, *The Democratic Republic, 1801-1815* (New York, 1967). Note also Thomas Jefferson's comments on internal improvements, banks, and the Missouri crisis. The issue of internal improvements Jefferson considered as "desperate." There was such a "torrent of general opinion" in favor of them, he confessed to Madison, "as to be irresistible." Of the pressing issues of the day, Jefferson feared this the most. He did so because it involved "a determination in the federal government to assume all powers non-enumerated as well as enumerated in the Constitution." (Jefferson to Madison, December 24, 1825, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 140-142.) As to banks, Jefferson wrote Charles Pinckney, "I should say put down all [of them], [and] admit none but a metallic circulation," an opinion reinforced by the Panic of 1819 which he believed was "produced first by the flood, then by the ebb of bank paper." If bank paper was not suppressed, he warned, "then indeed is the condition of our country desperate." (September 30, 1820, in *ibid.*, XV, 279-281; Jefferson to William Cabell Rives, November 28, 1819, *ibid.*, 229-232.) "The Missouri question," Jefferson believed "[was] a mere party trick. The leaders of federalism, defeated in their schemes of obtaining power by rallying partisans to the principle of monarchism. . . have changed their tack, and thrown out another barrel to the whale." (Jefferson to Charles Pinckney, September 30, 1820, *ibid.*, 279-281.)
- 19 Thomas Jefferson to Thomas Ritchie, December 25, 1820, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XV, 295-299; Jefferson to Nathaniel Macon, November 23, 1821, in *ibid.*, 340-342.
- 20 James Madison to Spencer Roane, May 6, 1821, in Gaillard Hunt, ed., *The Writings of James Madison* (9 vols., New York, 1900-1910), IX, 55-63. See also Madison to Roane, June 9, 1821, in *ibid.*, 65-68. For copies of these and other similar letters, see reel 46 (vol. 231) of the Edward Everett Letters, Massachusetts Historical Society (published microfilm, viewed by the author while National Fellow in Editing with the Papers of John C. Calhoun, 1976-1977).
- 21 Thomas Jefferson to Edward Livingston, March 25, 1825; to William Branch Giles, December 26, 1825, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 112-117, 146-151; James Madison to Spencer Roane, September 1, 1819, in Hunt, ed., *Writings of Madison*, VIII, 447-453; Turnbull, *The Crisis*, 8-9; Madison to Roane, September 2, 1819; Madison to Robert Walsh, November 27, 1819 (Edward Everett Papers, MHi, reel 46, frames 6-9, 12-17). For a more detailed discussion of this threat of implied powers, see "The Tribunal of Dernier Resort," in *SR*, VI (November, 1830), 423-513. As Robert J. Turnbull expressed it, "the great basis upon which the Supreme Court places the authority of the Federal Government, to exercise its constructive powers to the utter destruction of state rights, is that every power vested in the United States. . . is in its nature, sovereign, and involves a power to employ all means which are appropriate it (*The Crisis*, 27.) As "Lucius" commented, "the upon Federal Power are swept away by the . . . doctrine that the General Government is not a Government of States united, but of people collectively in the United States." (Remarks appended to *The Crisis*, 26.)
- 22 Jefferson to William Branch Giles, December 26, 1825, in Lipscomb and Bergh, eds., *Writings of Jefferson*, 146-151; James Madison to Spencer Roane, September 2, 1819, in Hunt, ed., *Writings of Madison*, VIII, 447-453; Turnbull, *The Crisis*, 8-9; Cooper, *Consolidation*, 16. In the opinion of the *Southern Review*, the issue at hand was "neither more nor less, than an effort to determine, whether written constitutions are to have any validity, any inherent or abiding strength; or, whether all devices to limit power, or to adjust authority, must forever be the prey of interest, of passion, of delusion, or of an absorbing ambition." (*SR*, VI [November 1830], 421.)
- 23 Quoted in Gerald Gunther, ed., *John Marshall's Defense of McCulloch v. Maryland* (Stanford, Calif., 1969), 26-27, 195, 203. As the *Southern Review* stated in 1830, a new period "in American history ad arrived when "a large portion of our fellow citizens, in other sections of the Union, have been persuaded into the belief, that their peculiar interests demand that the most liberal construction should be given to certain vague clauses in the Constitution." Not only that, "a party [had] consequently arisen, making these doctrines their watchword, and looking to the success of this effort, as a means for the establishment of their political influence and supremacy." (*Ibid.*, VI [November 1830], 422.)
- 24 Gunther, ed., *John Marshall's Defense of McCulloch v. Maryland*, 25-26.
- 25 Gunther, ed., *John Marshall's Defense of McCulloch v. Maryland*, 26-27, 30-31, 34.
- 26 Gunther, ed., *John Marshall's Defense of McCulloch v. Maryland*, 36-37.
- 27 Gunther, ed., *John Marshall's Defense of McCulloch v. Maryland* 52, 64. The dangerous principles alluded to were "the denial that the powers of the federal government were delegated" and that the powers of Congress "ought to be construed in a liberal, rather than a restricted sense." (*Ibid.*, 54-55.) According to Spencer Roane, the decision in *McCulloch v. Maryland* showed that "the government is to be . . . a consolidated and not a federal government." (Essays by "Hampden," in *ibid.*, 107-154, especially 139.) "Our chartered rights," declared the *Southern Review* in its review of the subject, "are now afloat on an ocean of construction, as unknown to our Constitution, as it is seemingly indeterminable." What's more, "the powers given in the Constitution, we are told, must be absolute in their nature, and can only be qualified by positive and express injunctions and prohibitions." As it also noted, the case of *McCulloch v. Maryland* was not the first attempt of the Court to give an extended construction of the powers of Congress. (*SR*, VI [November 1830], 424, 426, 434-442.) See also Madison to Roane, September 2, 1819 (in the Edward Everett Papers, MHi, reel 46, frames 6-9).

- 28 James Hamilton, Jr., *Speech on Mr. Randolph's Motion Indefinitely to Postpone the Tariff Bill* (Washington, 1828), 9; Remarks of "Lucius" appended to Turnbull's, *The Crisis*, 25-26; John C. Calhoun to Bartlett Yancey, January 14, 1827, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 252-253. See also Calhoun to John McLean, May 29, 1827 in *ibid.*, X, 290-291. See also James Hamilton to Stephen D. Miller, December 18, 1827 (Hamilton Papers, SCL/USC).
- 29 April 22, 1820, in Lipscomb and Bergh, eds., *The Writings of Thomas Jefferson*.
- 30 Jefferson to Claiborne W. Gooch, January 9, 1826, in *ibid.*, XVI, 151-153. See also Jefferson to Elbridge Gerry, June 11, 1812 and to John Adams, May 27, 1813, in Washington, ed., *Writings of Jefferson*, VI, 62-65, 120-123. This concern for the future of the Republic was heightened by the fact that the ranks of the founding generation or the men of 1776 were growing thinner each year. As Jefferson wrote to Gerry on June 11, 1812, "our ancient friends [are] dying off." In the words of Arastius B. Hull, "the patriots of '76 are falling fast around us, and it is much to be feared that their successors in office will not make good their places." (Hull to William Fishburne, August 21, 1809, Fishburne Mss., SCL/USC.) As noted in the introduction, this deepening pessimism forms an important theme of Middle Period American history. See also J. W. Calhoun to Col. Francis W. Pickens, March 29, 1834 (Pickens Family Papers, SCL/USC). As Calhoun wrote, "the doom seems to be rapidly darkening over the whole Union and to portend the most disastrous consequences." Referring to "those Republican Institutions," Hugh Swinton Legaré stated in 1840 that "until now" they had "never been seriously in danger." (Legaré to Robert C. Winthrop, August 7, 1840, Legaré Papers, SCL/USC.) See also Beaufort T. Watts to Francis W. Pickens, April 15, 1854 (Watts Papers, SCL/USC).
- 31 John Taylor, *Tyranny Unmasked* (Washington, 1822), 100, 346; James Madison to Thomas Ritchie, December 18, 1825, in Hunt, ed., *Writings of Madison*, IX, 231-236; Thomas Jefferson to William Branch Giles, December 26, 1825, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 146-151. See also Robert Y. Hayne to Warren R. Davis, July 5, 1827 (Hamilton Papers, SCL/USC). Hayne was calling for the establishment "of a Southern Review" to combat these new doctrines emerging in the North and to awaken the South to the dangers that confronted it.
- 32 According to Chauncey S. Boucher, "South Carolina was not unique in this respect; other southern states were showing signs of a similar movement." (*The Nullification Controversy*, 1.) See also the "Report Accompanying the Ordinance of Nullification," 41. This reaction is easily followed in the press of the day not only for the period 1816-1828, but also for years 1828-1836. While chief reliance has been placed upon the Augusta, Ga., *Chronicle and Advertiser* (the *Chronicle* after 1825) and the Augusta, Ga., *State Rights' Sentinel* for the period 1819-1836, these excellent papers have been supplemented by selected reading of the newspapers listed in the bibliography. If this sounds inadequate, it should be remembered that they all, more or less, reported the same news. Just as important perhaps are the letters of the principal figures involved in the controversies of 1816-1836. Especially valuable are the Papers of John C. Calhoun which contain letters from all across the nation, many of them Northern supporters of Calhoun. In this connection, see notes 38-47 and also chapter below. See also Norman K. Risjord's sympathetic portrayal in *The Old Republicans: Southern Conservatism in the Age of Jefferson* (New York, 1965). For a different analysis, see the studies by Dangerfield, Freehling, and Arthur M. Schlesinger, Jr. previously cited.
- 33 Like other Southerners, Taylor also attacked the spurious doctrines of consolidation, the belief that the people of the United States and not the states formed the government, and the notion that the federal government was supreme over the states. (*Tyranny Unmasked*, 342-345.) On John Taylor's life and thought, see Henry H. Simms, *Life of John Taylor: The Story of a Brilliant Leader in the Early Virginia State Rights School* (Richmond, 1932); Eugene T. Mudge, *The Social Philosophy of John Taylor of Caroline: A Study in Jeffersonian Democracy* (New York, 1930). As Simms notes, Nathaniel Macon, Thomas Jefferson, Thomas Ritchie, and Spencer Roane, all endorsed Taylor's views. In Jefferson's opinion, Taylor's *Construction Construed* was "the most effectual retraction of our government its original principles." (Simms, *Life of John Taylor*, 176, 179.)
- 34 In this connection, see Jefferson's comments on the National Republicans in note 41. See also Merrill D. Peterson, *Thomas Jefferson & the New Nation: A Biography* (New York, 1970), 707, 992-993. As Jefferson wrote to Edward Livingston, "our old opponents have given up their appellation, [but] they have not, in assuming ours, abandoned their views." (April 4, 1824, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 22-26.) As he complained to William Short, "yet the spirit is not done away. The same party takes now what they deem the next best ground, the consolidation of the government; the giving to the federal member, of the government, by unlimited construction of the government, a control over all functions of the states, and the concentration of all power ultimate at Washington." (January 8, 1825, *ibid.*, XVI, 92-97.) See also Jefferson's comments in note 41.
- 35 Thomas Gilmer to Thomas Jefferson, May 28, 1825, in Richard Beale Davis, ed., *Jefferson-Gilmer Correspondence*, 145; Jefferson to Robert J. Garnett, February 14, 1824, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 14-16; Jefferson to Judge Spencer Roane, September 6, 1819, in *ibid.*, 212-216.
- 36 Jefferson to Madison, December 24, 1825, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 140-142. The title of the paper was "The Solemn Declaration and Protest of the Commonwealth of Virginia on the Principles of the Constitution of the United States of America, and on violations of them." Jefferson enclosed a copy to Madison. See also Jefferson to Robert J. Garnett, February 14, 1824, in *ibid.*, XVI, 14-16.
- 37 Peterson, *Thomas Jefferson & The New Nation*, 994.

38 Peterson, *Thomas Jefferson & The New Nation*, 1003; Thomas Jefferson to William Branch Giles, December 26, 1825, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 146-151. As William Johnson eulogized in 1826, "he dreaded the possible growth of that most degrading of all aristocracies, which, having its basis in the distribution of pecuniary favors, before which the stately port of the freeman shrinks into the cringe and smile of the knave, or more degraded sycophant." (*Eulogy on Thomas Jefferson, Delivered August 3d, 1826, in the First Presbyterian Church*. . . [Charleston, 1826], 30). As Peterson writes, Jefferson's financial difficulties as well as the many issues of national importance that emerged during his last years made him despondent and forced him "back on his political heels" and into a close alliance with the Old Republicans. Above all, however, "it was slavery. . . that gave a peculiar pungency to Jefferson's fears of judicial nationalism, bank mania, and the consolidating American System." (Ibid., 992-995.) Peterson's resort to emotional and financial factors to explain Jefferson's states' rights beliefs in the 1820's is a common place tactic to deal with those beliefs while maintaining him (rather than Lincoln) as the central figure in Americans' liberal-democratic thought. Another tactic is to view Jefferson as a man of many beliefs (the many-sided Jefferson). Indeed, historians, from George Bancroft to Dumas Malone and now Joseph J. Ellis, have tended to disassociate Jefferson (the father of American democracy) from the states' rights tradition. In their view, Southern states' rights philosophy was not only hostile to human liberty but also alien to Jefferson's own beliefs (inherited from the Enlightenment). According to Robert E. Shalhope, historians tend to "delineate 'Jeffersonian' and 'post-Jeffersonian' phases of antebellum southern history. Assuming liberal thought to be the primary characteristic of the first period, they believe that age [1776-1815] was epitomized by Thomas Jefferson. . . . Unfortunately, according to this view of Southern history, reactionary forces which appeared in the 1820's caused the South to repudiate Jeffersonian liberalism in favor of a militant, conservative orthodoxy." Yet, as Shalhope reminds us, "the most striking thing about Jefferson's republicanism was its remarkable consistency." At his death in 1826, Jefferson was still extolling the virtues of agriculture over industry, warning against the evils of debt and the baneful influences of banks, and complaining about the judiciary with its doctrine of implied powers. Above all, he still insisted on a strict construction of the Constitution and preserving the rights reserved to the states. As Jefferson wrote to Judge Spencer Roane in 1819, the Federalist doctrine that the judiciary is the last resort makes "our Constitution a complete *felo de se*. For intending to establish these departments, coordinate and independent, that they might check and balance one another, it has given. . . to one of them alone, the right to proscribe rules for the government of the others, and to that one too, which is unelected by, and independent of the nation. . . . The Constitution, on this hypothesis, is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please. It should be remembered," he added, "as an axiom of eternal truth in politics, that whatever power in any government is independent, is absolute also." (Jefferson to Roane, September 6, 1819, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XV, 212-216.) Along similar lines, see his letter to Claiborne Gooch, January 9, 1826. Although Jefferson had "little hope that the torrent of consolidation [could] be withstood," he was not "for giving up the ship without efforts to save her." Indeed, he added, "the South Carolina resolutions, Van Buren's motion, and above all, Bayley's propositions, show that other states are coming forward on the subject." (Ibid., XVI, 151-153.) For Jefferson's continued hostility toward banks, see note 57. For an earlier expression of that sentiment, see his letter to John Taylor, November 26, 1798, in *ibid.*, X, 63-67. See also Jefferson to William T. Barry, July 2, 1822; to Madison, December 24, 1825, and to Edward Livingston, March 25, 1825, in *ibid.*, XV, 388-390, XVI, 140-142, 112-117. When compared with Calhoun's thought (in chapter below), it becomes evident indeed that Southern thought after 1815 did not undergo any drastic change. In fact, Calhoun, Rhett, Hamilton, Hayne, and other Southerners were only reiterating the ideas and ideals of republicanism that had governed the nation since its founding. For the expropriation of Jefferson as the symbol of democracy by Jacksonian Democrats and Lincoln Republicans (at the expense of his states' rights and pro-slavery views) and the dominance of this view in the twentieth-century, see Merrill D. Peterson *The Jefferson Image in the American Mind* (New York, 1962). See the same study for Jefferson scholars' uneasiness with his states' rights beliefs and acquiescence in slavery. For Shalhope's views, see "Thomas Jefferson's Republicanism and Antebellum Southern Thought," *JSH*, 42 (November 1975), 529-556. As suggested here, the many paradoxes of Jefferson's thought, his professions of equality and the rights of man while acquiescing in slavery, his writings about the blessings of government while warning of its dangers, his basic faith in as well as distrust of man, and his emphasis upon public order while believing in the rights of revolution, all of these become less paradoxical in the context of republican ideology. Far from being many-sided, Jefferson was in fact the quintessential republican, the very embodiment of those beliefs that shaped the early Republic. Seen in this context, too, the conflicting images of Jefferson that historians have drawn over the years are evidence less of his own bifurcations than testimony to the fact that Americans' republican beliefs were overturned during the Middle Period and replaced by a new democratic creed that was fundamentally different from that of the Founding Fathers. Indeed, to disguise the revolutionary implications of their new democratic beliefs, Northerners of the Middle Period concocted the myths of democracy and American uniqueness. In short, they conveniently made the founders "democrats" themselves. In the process, of course, they not only distorted the history of the early Republic but also obscured the revolutionary nature of their own beliefs.

39 For the general background of the Virginia reaction, see Mudge, *The Social Philosophy of John Taylor*; Simms, *Life of John Taylor*; Peterson, *The Jeffersonian Image in the American Mind*; and Risjord, *The Old Republicans*. Also helpful but biased in favor of the emerging nationalism of the period are Dangerfield's *Era of*

Good Feelings and *The Awakening of American Nationalism*. Equally biased is Schlesinger's *Age of Jackson* which identifies the Old Republicans as "democrats" as opposed to republicans. As he writes of Jefferson, John Taylor, John Randolph, and Nathaniel Macon, "their prevailing mood was pessimism, their predominant tone complaint, their record a series of defeats. Yet, in a real sense, their influence was tonic and affirmative. They were transmitters of the Jeffersonian heritage . . . They kept alive the democratic soul." (Ibid., 29.) For Philip P. Barbour's views, see his 1824 speeches against the tariff and the Bank of the United States reprinted in the *Augusta, Ga., Chronicle*, September 9, 1832; for John Randolph and William Branch Giles, see William C. Bruce, *John Randolph of Roanoke* (New York, 1939); Lemuel Sawyer, *John Randolph of Roanoke, A Biography. . . with a Selection from His Speeches* (New York, 1844); and Dice R. Anderson, *William Branch Giles* (Menasha, Wisconsin, 1914); for Benjamin Watkins Leigh, see *The Letters of Algernon Sydney in Defence of Civil Liberty and against the Encroachment of Military De-spotism* (Richmond, 1830). These letters were first published in 1818-1819 in the Richmond, Va., *Enquirer*. See also H. W. Flournoy, ed., *Calendar of Virginia State Papers and Other Manuscripts from January 1, 1808, to December 31, 1835* (Richmond, 1892; New York, 1968), especially vol. X; and Robert Y. Hayne to Littleton Waller Tazewell, August 25, 1831 (Hayne Papers, SCL/USC). For developments as reported by one newspaper, see the Lynchburg, Va., *Press and Public Advertiser*, September 30, November 13, 30, December 7, 14, 31, 1819; February 4, 18, March 21, June 16, 23, 30, July 7, 1820; August 23, 30, 1822. For details of Hampden's life, see John Adair, *John Hampden, The Patriot: 1594-1643* (London, 1976).

- 40 For general information on Georgia politics in the 1820's, see Paul Murray, *The Whig Party in Georgia, 1825- 1853* (Chapel Hill 1948); Stephen F. Miller, *The Bench and Bar of Georgia*. (2 vols., Philadelphia, 1858); and Edward L. Tucker, *Richard Henry Wilde: His Life and Selected Poems* (Athens, Ga., 1966). See also the following issues of the *Augusta, Georgia Chronicle and Gazette* and the *Chronicle and Georgia Advertiser*: February 4, March 14, June 24, 27, July 1, 8, August 5, September 10, 12, 17, 28, October 1, 12, 19, 22, 29; November 9, 21, 26, 28, December 3, 21, 24, 1822; April 21, 24, June 24, July 3, 7, 17, 21, 28; August 4, 11, 14, 18, 25, 1824; February 2, 9, March 9, 16, 28, 30, April 9, 18, August 3, 10, 17, 24, 1825. In particular see the prospectus for the *Savannah Georgian* in *ibid.*, March 14, 1822. According to the editor, George Robertson, Jr., the paper would be dedicated to "the principles of '98," meaning the maintenance of states' rights and opposition to the undue aggrandizement by the general government. For republicanism, see *Augusta, Georgia Chronicle and Gazette*, July 8, August 5, October 10, November 26, 1822; for anti-tariff sentiment, see "A Carolina Farmer," in *ibid.*, July 21, 28, August 11, 1824; on the question of whether William H. Crawford or John C. Calhoun embodied republican ideology, see "A Republican" for Crawford in *ibid.*, October 22, 1822 and "A Carolina Farmer" for Calhoun, *ibid.*, June 24, 26, 1824. For North Carolina, see the letters of Lewis Williams, Archibald D. Murphey, Romulus M. Saunders, Robert Williamson, Thomas Ruffin, Frederick Nash, and Willie P. Mangum to Bartlett Yancey in "Letters of Bartlett Yancey," *James Sprunt Studies*, X (1911), 35-53; Henry T. Shanks, ed., *The Papers of Willie P. Mangum* (5 vols., Raleigh, N. C., 1950-1956); and Robert Neal Elliott, Jr., *The Raleigh Register, 1799-1863* (Chapel Hill, 1955), 37-39, 43. For an overview of the period 1776-1834, see Gov. John Branch's speech in the N. C. Senate, December, 1834, on the "Resolutions to Instruct Mr. Mangum," *Raleigh Register*, February 17, 1835. See also Lemuel Sawyer's remarks on internal improvements in *Annals of Congress*, 15th Cong., 1st sess. (1817-1818), cols. 126-1273.

- 41 Thomas Rogers to John C. Calhoun, March 11, 1821, in Meriwether, Hemphill, and Wilson, eds., *The Papers John C. Calhoun*, V, 672-673. See also Calhoun to Samuel D. Ingham, November 6, 1820, in *ibid.*, 425-426. As Calhoun commented, "Pennsylvania is essentially Republican." For Marcus Morton, see Arthur B. Darling, *Political Changes in Massachusetts, 1824-1848: A Study of Liberal Movements in Politics* (New Haven, Conn., 1925). As Darling writes, "it was Calhoun . . . whose influence brought together in the Jackson party such diverse elements as the old Federalists . . . and the rural Democrats led by Marcus Morton . . . In Calhoun, more than in Jackson, they saw embodied the democratic philosophy of Jefferson." (Ibid., 78.) As he also notes, Morton knew Calhoun personally (they had studied together at William T. Gould's Law School in Litchfield, Conn.) and served as his unofficial advisor on Massachusetts' politics. (Ibid., 79.) For Morton's agreement with Calhoun on the tariff as well as his belief that the nation was abandoning republican principles, see *ibid.*, 81. For Calhoun's correspondence with Ingham, see *The Papers of John C. Calhoun*, V, 201, 425, 426, 457, 50, 543; VI, 165, 194, 275, 286, 314, 330, 333, 347, 357, 361, 368, 374, 410, 428, 449, 451, 459, 483, 491, 501, 505, 515, 538, 546; X, 28, 41, 311, 402; for his correspondence with Swift, see *ibid.*, V, 340, 365; VI, 144, 277, 254, 267; X, 9, 11, 32, 40, 4-8p 242, 260, 267; for his correspondence with Sterling, see *ibid.*, V, 40, 42, 511; VI, 195, 196, 324, 386; X, 72, 107, 204, 237, 298, 328, 340, 384, 391, 414, 548; for his correspondence with Samuel L. Gouverneur (James Monroe's son-in-law), see *ibid.*, V, 527; X, 13, 26, 57; for his correspondence with Southard see *ibid.*, VI, 773, 774; X, 6, 12, 31, 36, 47, 57, 59, 64, 67, 68, 70, 71, 74, 75, 76, 96, 97, 161, 235, 236, 238, 245, 249, 250, 256, 260, 261, 265, 270, 286, 294, 305, 306, 310, 313, 326, 331, 333, 334, 344, 346, 360, 384, 439, 440, 441, 541, 554, 558, 562. For Albert Gallatin, see "Memorial of the Committee Appointed by the Free Trade Convention, held in Philadelphia in September and October, 1831," in Ferguson, ed., *Selected Writings of Gallatin*, 412-439, and his letter to John C. Calhoun, February, 1835 (Calhoun Papers, SCL/ USC). Like Calhoun and other Republicans who had supported the Tariff of 1816, Gallatin later recoiled at the excessive rates imposed

by the tariffs of 1820, 1824, and 1828. Bache and Dallas were associated with the *Franklin Gazette* of Philadelphia, a pro-Calhoun newspaper in the election of 1824. (See *Papers of John C. Calhoun*, VII, iii.) For DeWitt Clinton, see his 1825 message to the New York legislature in Frank O. Gatell and John M. McFaul, eds., *Jacksonian America, 1815-1840* (Englewood Cliffs, N. J., 1970), 22-24. As the editors note, Clinton's message shows that "State rights theories have never been the exclusive property of Southerners." See also the sketch of Selleck Osborn, editor of the Litchfield, Connecticut *Witness*, in *Papers of John C. Calhoun*, I, 25. Osborn later edited the New-York Patriot and supported Calhoun in the election of 1824. Other "Northern men of Southern (republican) principles can be found in James L. Harrison, comp., *Biographical Directory of the American Congress, 1774-1949* (Washington, D. C., 1950).

- 42 Quoted in the Augusta, Ga., *Chronicle*, April 5, 1834. See also Condé Raguet to Dr. Philip Tidyman, June 12, September 19, 1833 (Philip Tidyman Papers, SCL/USC); Condé Raguet to Robert Y. Hayne, June 20, 1834 (Hayne Papers, *ibid.*) Raguet was editor of the Philadelphia, Pa., *Examiner and Journal of Political Economy*, 1833-1835.

- 43 Nathaniel Macon to Bartlett Yancey, December 25, 1824, in "Letters of Nathaniel Macon," *James Sprunt Studies*, III, 82-83. See also note 51. A case in point is provided in the "Onslow" [John C. Calhoun] - "Patrick Henry" [John Quincy Adams?] exchange of 1826 concerning the power of the Vice-President to control debate. Interestingly enough, Calhoun assumed a strict constructionist position on the issue while his opponent argued for a broad interpretation of that power. See vol. X of *The Papers of John C. Calhoun*.

- 44 Freehling, *Prelude to Civil War*, 49-86, 340-360; Whitemarsh B. Seabrook, *A Concise View of the Critical Situation and Future Prospects of the Slave-Holding States*. . . (Charleston, 1825), 3; John P. Richardson to James Chesnut, March 14, 1833 (Richardson Papers, SCL/USC). See also Edwin C. Holland, *A Refutation of the Calumnies Circulated Against the Southern & Western States, Respecting the Institution and Existence of Slavery Among Them*. . . (Charleston, 1822); and John C. Calhoun to Virgil Maxcy, August 12, 1820 in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, V, 327-328. As Calhoun wrote, he hoped that the non-slaveholding states would not renew "so dangerous a question" as it had in the Missouri controversy. "I can scarcely conceive of a course of sufficient power to divide this Union." For anti-slavery agitation, see Robert Y. Hayne to Charles T. Mercer, January 13, 1826 (Hayne Papers, SCL/USC) and "On the Emancipation of Slavery" [April, 1821], in the Basil Manly Papers, *ibid.*; for Southern concern about slave activities, see Gov. Thomas Bennett of S. C. to Calhoun, July 15, 1822, *Papers of Calhoun*, VII, 210; Thomas Law to Calhoun, August 10, 1821, *ibid.*, VI, 328-330; also letters of Calhoun and Littleton Waller Tazewell, January 26, 1821 and April 24, 1826, in Flournoy, ed., *Calendar of Virginia State Papers*, X, 497, 545; and Richard Furman Papers, SCL/USC. See also Maria Bryan to Mrs. Julia A. B. Cumming, January 27, 1827; Henry Harford Cumming to Julia A. B. Cumming, September 14, 1829; Maria Bryan to Julia A. B. Cumming, December 15, 1829 (Hammon-Bryan-Cumming Families Papers, SCL/USC); Augusta City Council Minutes, 1816-1823, 1831-1837 (Ms. Vols. bound, City Managers Office, Augusta, Ga.); Minutes of the Superior Court of Richmond County, Ga., 1819-1822 (Ms. vol. bound, Richmond County Courthouse). It should be noted that Southerners had reason to be anxious about slavery given the strength of anti-slavery sentiment in America and its connection with abolitionism in Great Britain. For the strength of the anti-slavery movement in the period 1815- 1825, see Alice Dana Adams, *The Neglected Period of Anti-Slavery in America, 1808-1831* (Boston, 1908); Merton L. Dillon, *Benjamin Lundy and the Struggle for Negro Freedom* (Urbana, Ill., 1966).

As Dillon writes, "the record of Lundy's life suggests that long before the abolitionists who were to win fame in the 1830's had entered the movement he and his associates had laid the foundations upon which they were to build." (*Ibid.*, V.) Moreover, "the antislavery advocates of the 1820's were far less restrained in their attacks and less gentle in their discourse than has sometimes been assumed. . . . They presented an untempered condemnation of slavery scarcely exceeded in severity by that of their successors of the 1830's." (*Ibid.* 53.) See also Jane H. and William H. Pease, *Bound With Them in Chains: A Biographical History of the Antislavery Movement* (Westport, Connecticut, 1972) and Arthur Zilversmit, *The First Emancipation: The Abolition of Slavery in the North* (Chicago, 1967). According to the Pease's, despite their diversity and the conflict over means, anti-slavery advocates were unified in their central conviction of "ending slavery as quickly as possible—without compensation to slaveholders, and without qualification." (*Bound with Them in Chains*, 11.) Important in this respect, too, were Federalists who increasingly attacked slavery in the period 1800-1820, a development that gave Southerners further cause for alarm. See Linda K. Kerber, *Federalists in Dissent: Imagery and Ideology in Jeffersonian America* (Ithaca, N. Y., 1970), especially Chap. 2, "Anti-Virginia and Anti-Slavery," 23-66. It was not without foundation that Jefferson referred to the Missouri controversy as a Federalist party trick. As he wrote to General Henry Dearborn concerning the Missouri question, "I see only that it has given resurrection to the Hartford Convention men Desperate of regaining power under political distinctions, they have adroitly wiggled into its seat under the auspices of morality." (Jefferson to Dearborn, August 17, 1821, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XV, 329-330.) See also Jefferson to John Adams, December 21, 1819, *ibid.*, 235-237. For the Federalist viewpoint, see Mr. Boudinot to Elias E. Boudinot, December 15, 1819, in J. J.

Boudinot, ed., *The Life Public Services, Addresses, and Letters of Elias' Boudinot* (2 vols., Boston and New York, 1896), II, 173. As Boudinot wrote, "Do exert yourself in the Business. It [Missouri] is the most important question ever before Congress. I consider that our Union depends upon it." See also Betty Fladeland, *Men and Brothers: Anglo-American Antislavery Cooperation* (Urbana, Ill., 1972.).

45 Seabrook, *A Concise View*, 4. As Holland expressed it: "It must be conceded that the people of the South and West have certain established constitutional rights and privileges contradistinguished, by their peculiar situation, from those of the North and East, the surrender of which would be worse than the wildest insanity, and for the safe enjoyment of which they must and will contend to the last. If they are to be sacrificed by a system of legislation that strikes at the root of all their interests, the safety of their lives and the prosperity of their fortunes, they will not be sacrificed without a struggle." (Ibid., 8-9.) See also the Augusta, Ga., *Chronicle and Gazette*, October 22, 1819, February 3, 22, September 21, 1820; James Monroe to Thomas Jefferson, February 7, 1820p in Hamilton, ed., *Writings of Monroe*, VI, 113-115; Josiah Butler of New Hampshire, Washington, D.C., *Daily Intelligencer*, April 14, 1821, in James F. Hopkins and Mary Hargreaves, eds., *The Papers of Henry Clay*, III, 19; Raleigh, N. C., *Register*, March 10, 1821, in Elliott, *The Raleigh Register*, 43; John C. Calhoun to Samuel D. Ingham, December 17, 1820, in Meriwether, Hemphill, and Wilson, eds., *The Papers of Calhoun*, V, 500-502. See also Harry Ammon, *The Quest for National Identity*, 449- 461.

46 For the new view of the Union as absolute, see Wood, "The Union of the States" and works by Paul C. Nagle and Major L. Wilson cited above.

47 Thomas Jefferson to John Adams, January 22, 1821, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XV, 308-310; White, *Robert Barnwell Rhett*, 106 (quoting the Charleston, S. C., *Mercury*, September 29, 1848). Rhett was recalling sentiments he had expressed twenty years earlier. Now, he remarked, with the Wilmot Proviso, "this great question of Slavery [is] upon you." See also Thomas Jefferson to Edward Everett, April 8, 1826, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XVI, 162-163. "On the question of the lawfulness of slavery, that is of the right of one man to appropriate to himself the faculties of another without his consent," he wrote, "I certainly retain my early opinions. I think with you, also, that the Constitution. . . is a compact of independent nations subject to the rules acknowledged in similar cases. . . ." See also Littleton Waller Tazewell to John Tyler, April 24, 1826, in Fournoy, ed., *Calendar of State Papers*, X, 545; Tyler to Tazewell, May 2, 1826, *ibid.*, 546-547. See also John C. Calhoun to Daniel Webster, February 26, 1833, in Crallé, ed., *Works*, II, 308-309.

48 John C. Calhoun to Samuel D. Ingham, October 30i 1830 (Calhoun Papers, SCL/USC). See also Calhoun to Theodore Lyman, Jr., September 8, 1828, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, XI 418-420; Calhoun's speech at Milton, N.C., March 10, 1827, in *ibid.*, X, 278; William J. Grayson's speech in *The Debate in the South Carolina Legislature, 1830*, 26-30. In Robert Barnwell Rhett's words, the tariff was a symptom of a larger disease. "It is the despotism which constitutes the evil; and until this Government is made a limited Government, and is confined to those interests which are common to the whole Confederacy, there is no liberty, no security for the South." (White, *Robert Barnwell Rhett*, 26-27 See also John M. McFaul, "Expedience vs. Morality: Jacksonian Politics and Slavery," JAH, 62 (June 1975), 24- 39. McFaul takes exception to the view that the "defense of slavery provided the mainspring of the Democratic party."

49 Freehling, *Prelude to Civil War*, x-xi, 91-108, 116- 133, 327-339. For the view that the South did not change, or at least its leading spokesmen, see Bruno Gujer, *Free Trade and Slavery: Calhoun's Defense of Southern Interests Against British Interests, 1811-1848* (Zurich, 1971).

50 Marshall Smelser, *The Democratic Republic, 1801- 1815* (New York, 1968), 314--316, 351. See also Dumas Malone, *Jefferson the President: First Term, 1801-1805* (Boston, 1970), 319. The charge that Jefferson and his followers deviated from republican policy is the principle theme of Henry Adams' *History of the United States During the Administrations of Jefferson and Madison* (9 vols., New York, 1889-1891). See also Schlesinger, *Age of Jackson*, 18-26.

51 Freehling, *Prelude to Civil War*, 91-92. Schlesinger, *Age of Jackson* 52-53. See also Reginald Horsman, *The Causes of the War of 1812* (Philadelphia, 1962), and Margaret K. Latimer, "South Carolina —A Protagonist of the War of 1812," *AHR*, 61 (1955-1956), 914-929. For a dissenting view, see Roger H. Brown, *The Republic in Peril: 1812* (New York, 1964, 1971). As for the term "war hawks," meaning a Republican faction "genuinely bristling and warm for war with Great Britain," he writes, "no Republican ever really answered this description." As for Calhoun, he did not support the war until late in 1811. (Ibid.p 44, 49.) For Brown's thesis of the "republic in peril," see the Augusta,, Ga., *Chronicle*, July 18, August 22, 29, November 21, 1807. See also Diary of William Blanding, May 28-August 17, 1807 (Blanding Papers, SCL/USC), entries for May 31, July 9, 13., 18, 25, 1807; Henry Gilliam to Capt. William Jones, April 26, May 15, July 28, September 8, 23, 29, December 29, 1809; March 21, June 25, 1810; March 13, April 9, July 27, 1811; September 7, 1812 (Jones Papers, GHS).

52 Smelser, *The Democratic Republic*, 314-315. For a similar assessment, see Malone, *Jefferson The President*, xx-xxi.

- 53 Jefferson to John Wayles Eppes, September 11, 1813, Washington, ed., *Writings of Jefferson*, 199; Jefferson to John Taylor, May 28, 1816, Lipscomb and Bergh, eds., *Writings of Jefferson*, XV, 17-23. As Jefferson wrote: "The system of banking we have both equally and ever reprobated. I contemplate it as a blot left in all our Constitutions, which, if not covered, will end in their destruction, which is already hit by the gamblers in corruption, and is sweeping away in its progress the fortunes and morals of our citizens. Funding I consider as limited, rightfully, to a redemption of the debt within the lives of a majority of the generation contracting it. . . ." Moreover, "And I sincerely believe, with you, that banking establishments are more dangerous than standing armies; and that the principle of spending money to be paid to posterity, under the name of funding, is, but swindling futurity on a large scale." (Ibid., 18.) See also Jefferson to John Adams, January 24, 1814, in Cappon, ed., *Adams-Jefferson Letters*, 421-425.
- 54 James Monroe, "Views on Internal Improvements," 1822, in Hamilton, ed., *Writings of James Monroe*, VI, 265-266. See also his "First, Second, Third, and Fourth Annual Messages," December 2, 1817, November 16, 1818, December 7, 1819, November 14, 1820, in ibid., VI, 33-44, 75-83, 106-113, 155-158. See also Walter Lowrie, ed., *American State Papers: Documents, Legislative and Executive, of the Congress of the United States [1809-1823]* (Washington, D. C., 1834), 11, 283-284; James Madison to St. George Tucker, December 23, 1817 (Edward Everett Papers, MHI, reel 46, frames 4-5).
- 55 James Monroe, "Views on Internal Improvements," 255. See also Lemuel Sawyer's remarks, *Annals of Congress*, 15th Cong., 1st session, (1817-1818), 12-69-1273. Although Sawyer believed that there was no constitutional provision authorizing internal improvements by Congress, he did announce in favor of an amendment for that purpose. Note also Henry Clay's objection in ibid., 1362. Clay entreated his colleagues to examine their doctrine of state rights "to see what abusive, if not dangerous, consequences it may lead." In particular, Clay referred to the American experience under the Articles of Confederation.
- 56 Monroe, "Views on Internal Improvements," 236-237.
- 57 Monroe, "Views on Internal Improvements," 231-233.
- 58 Malone, *Jefferson the President*, 239-261, 262-283, 284-310; Charles Breunig, *The Age of Revolution and Reaction, 1789-1850* (New York, 1970), 73-104; Thomas Jefferson to Gov. C. C. Claiborne of Louisiana, May 24, 1803, in Lipscomb and Bergh, eds., *Writings of Jefferson*, X, 390-396. Jefferson considered "war between France and England as unavoidable." See also Jefferson to Robert E. Livingston, April 18, 1802, February 3, 1803; to Dupont DeNemours, April 25, 1802, February 1, 1803, ibid., X, 311-319, 343-354. The quote is from Malone, *Jefferson the President*, 325.
- 59 Malone, *Jefferson the President*, 311-318, 329. See also Jefferson to John Breckenridge, August 12, 1803; to Levi Lincoln, August 30, 1803; to James Madison, August 25, 1803, in Lipscomb and Bergh, eds., *Writings of Jefferson*, X, 407-417.
- 60 Malone, *Jefferson the President*, 320.
- 61 Jefferson to Wilson Cary Nicholas, September 7, 1803, Lipscomb and Bergh, eds., *Writings of Jefferson*, X, 417-420.
- 62 Malone, *Jefferson the President*, 319. John Quincy Adams, who approved the purchase, later charged Jefferson with an assumption of power that surpassed that of the Federalists of the 1790's. (Ibid. 330-332.)
- 63 Madison to William Eustis, May 22, 1823, in Hunt, ed., *Writings of Madison*, IX, 135-137. On these points, see Malone, *Jefferson the President*, 114-156, 425-439, 458-485; Brown, *The Republic in Peril*. In this connection, see Jefferson's comments about the Bank of the United States. As he wrote to Albert Gallatin, "while we are strong, it is the greatest duty we owe to the safety of the Constitution, to bring this powerful enemy to a perfect subordination under its authorities." (December 13, 1803, in Lipscomb and Bergh, eds., *Writings of Jefferson*, X, 436-439.) For his concern about the judiciary, see his letter to John Dickinson, December 19, 1801, X, 301-303.
- 64 Risjord, *The Old Republicans*, 3-9, 19, 21, 24-25, 31-32, 111-115.
- 65 See Dangerfield, *The Era of Good Feelings*, 409-412; *The Awakening of American Nationalism*, 104-106, 117-140, 283-287. Freehling quite rightly that South Carolina's nationalism of 1812-1816 was "qualified." Nevertheless, he still maintains that "a majority of South Carolinians . . . renounced broad construction." (*Prelude to Civil War*, 89-113.)
- 66 See James Madison to Henry Clay, April ?, 1824, in Hunt, ed., *Writings of Madison*, IX, 183-187; Jefferson to Lafayette, May 14, 1817, in Lipscomb and Bergh, eds., *Writings of Jefferson*, XV, 114-118; Jefferson to John Adams, January 21, 1812, in Cappon, ed., *Adams-Jefferson Letters*, II, 290-292; John C. Calhoun, "Speech on the Loan Bill, February 25, 1814," in Crallé, ed., *Works*, II, 69-103; "Speech on the Military Peace Establishment, February 27, 1815," ibid., II, 117-123; "Speech on motion to repeal the Direct Tax, January 31, 1816," ibid., II, 135-153.
- 67 See notes 74-81 below. On the Bank of the United States, see Calhoun's "Speech on the Removal of Public Deposits, January 13, 1834," in Crallé, ed., *Works*, 11, 309-343; and Willie P. Mangum, "Speech on the Removal of Deposits, February 25, 1834," in Shanks, ed., *Papers of Willie P. Mangum*, V, 562-585.

68 John C. Calhoun to Bernard Reynolds, May 28, 1832; to C. B. Pegues and others, October 1, 1832, in Calhoun Papers, SCL/USC. In these letters, Calhoun explained that the Tariff of 1816 was for revenue and not for protection. As he also noted, the question of its constitutionality did not arise because the consensus was that it was for revenue only. In sum, the absence of discussion on that point did not warrant the assumption that the principle of protection was approved. See also his speech at Abbeville, S. C., May 27, 1825, *The Papers of John C. Calhoun*, X, 21-24.

69 "Let it not be argued," declared John C. Calhoun in 1817, "that the construction for which I contend gives a dangerous extent to the powers of Congress." Crallé, ed., *Works*, II, 194.)

70 "Speech on Encouragement for Manufactures, April 7, 1814," in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, I, 252-254.

71 Calhoun, "Speech on Encouragement for Manufactures," *ibid.*; "Remarks on the proposed Tariff Schedule, March 25, 1816," *ibid.*, I, 356. For a good description of manufactures in Massachusetts and their growing prominence, see the William Blanding Diary, 25 June 1810-14 June 1811 (Blanding Papers, SCL/USC). Blanding was travelling from South Carolina to Rehoboth, Mass.

72 "Speech Introducing the Bank Bill," February 26, 1816," in *Papers of John C. Calhoun*, I, 331-339.

73 "Speech Introducing the Bank Bill," February 26, 1816," in *Papers of John C. Calhoun*, I, *ibid.*

74 "Speech Introducing the Bank Bill," February 26, 1816," in *Papers of John C. Calhoun*, I, *ibid.*

75 John C. Calhoun, "Speech on Revenue Bill, January 31, 1816," *Papers of John C. Calhoun*, I, 316-330; "Speech on Internal Improvements, February 4, 1817," in *ibid.*, I, 398-407. For similar views, see "The True Virginian," Nos. 7-12, in the Rockbridge, Va., *Intelligencer*, June 21, 28, July 12, 19, 26, 1823.

76 Calhoun, "Speech on Internal Improvements, February 4, 1817," in *Papers of John C. Calhoun*, I, 398-407

77 Calhoun's efficient administration of the War Department is best followed in vols. II-IX of *The Papers of John C. Calhoun*.

78 "Report of the Secretary of War, December 11, 1818," *ibid.*, III, 374-386; "Speech on motion to repeal a Direct Tax, January 31, 1816," Crallé, ed., *Works*, II, 135-153; Smelser, *The Democratic Republic*, 251.

79 *Papers of John C. Calhoun*, IX, xxii-xxvii, 16-17.

80 *Calhoun to Pickering, April 29, 1821, ibid., VI, 81-82.*

81 *Papers of John C. Calhoun, ibid., III, 377.*

82 See Calhoun's "Speech on motion to repeal a Direct Tax, January 31, 1816," in Crallé, ed., *Works*, II, 135-153. In view of widespread sentiment against a standing army, and the possibility of future wars, Calhoun relied on the navy not only because it was less expensive (it cost less per man) and more efficient, but because it was safe. "We have heard much of the dangers of standing armies to our liberties," he declared, but "the objection cannot be made to the navy. . . . If anything can preserve the country in its most imminent dangers from abroad, it is this species of armament." (*ibid.*, 144-145.) Although Calhoun favored an increase in the navy, he was not for a rapid build-up: "We ought to commence preparations—establish docks, collect timber and naval stores." (*Ibid.*, 145.) He also favored extending the terms of service of the militia.

83 The evidence for this statement is based on the writer's own research into the economic and social history of antebellum Augusta, Georgia, 1790-1860. And what that research demonstrated, curiously enough, was conservative progress. While Augusta was a thriving cotton entrepot, thanks to its favorable geographical location, its enterprising merchants, and an active city council that encouraged and underwrote economic progress, it, never developed into an urban-industrial center. In fact, it remained more of a town than a city as its population never exceeded 15,000 before 1860. Although it is traditional to attribute this lack of economic development to the "peculiar institution," I suggest that the answer lies elsewhere, namely, in the fact that Augustans did not want to develop into a large manufacturing center. Although capital and resources were readily available, Augustans chose to invest in those enterprises which would maintain their traditional socioeconomic structure. See W. K. Wood, "A Note on Pro-Urbanism and Urbanization in the Ante-Bellum South: Augusta, Georgia, 1820-1860," *RCH*, 6 (Winter 1974), 23-32. For the conservative-progressive practices and policies of the Georgia Railroad and Banking Company, see W. K. Wood, "Conservative Banking During Crisis: The Georgia Railroad and Banking Company, 1836-1842," *ibid.*, 3 (Summer

1971), 37-52; and "The Georgia Railroad and Banking Company," *GHQ*, 62 (Winter 1973), 544-561. On civic activity in Augusta and its relationship to public improvement, see W. K. Wood, "Henry Harford Cumming, 1799- 1866: A Case Study of Republicanism and Civic Virtue in the Old South," *RCH*, 9 (Winter 1977), 5-9. As suggested here, the Cumming family itself exhibits all the virtues inherent in republican ideology: not only were the Cummings like republicans of old, they knew that "social and political institutions [were] planted in the hearth stone," that "if the roots decay the tree must inevitably perish." (Major J. C. C. Black, "Address to the Augusta Bar Association, January 31, 1903," typescript in possession of Mr. Joseph B. Cumming of Augusta, Ga.) For the Cumming family, see the Hammond-Bryan-Cumming Families Papers (SCL/USC) and the Thomas Cumming and Joseph B. Cumming Papers (GHS, Savannah, Ga.). See also Lyle W. Dorsett and Arthur H. Shaffer, "Was the Antebellum South Anti-urban? A Suggestion," *JSH*, 38 (February 1972), 93-100; Norris Preyer, "Why Did Industrialization Lag in the Old South?," *GHQ*, 55 (Fall, 1971), 378-396; and Theodore R. Marmor, "Anti-industrialism and the Old South."

84 James Henry Hammond, "A Sermon on Idleness," Diary entry of January 7, 1848, James Henry Hammond Papers (SCL/ USC).

85 See DeWitt Clinton's 1825 message to the New York legislature in Gatell and McFaul, eds., *Jacksonian America*, 20-25. Clinton, who praised the states for their internal improvement projects, also warned against encroachments by the federal government. In particular, he was opposed to Congress' attempt to tax and regulate canal traffic, which attempt would threaten the proper balance between the state and national governments. As Calhoun commented, "no power ought to be dele 'gated which can be fairly exercised by the constituent body, and that none ought ever to be delegated, but to responsible agents." ("Speech on the Rules of the Senate and the Powers of the Vice-President," *Papers of John C. Calhoun*, X, 88-90.) See also James Madison to Martin Van Buren, July 5, 1830, in Hunt, ed., *Writings of Madison*, IX, 376-383.

86 John P. King, "President's Report to the Stockholders of the Georgia Railroad and Banking Company, May 10, 1859," in Annual Reports of the Directors, and of the Engineer-in- Chief (Augusta, 1859), 7-8. King was a U. S. Senator, 1833- 1840, and President of the Georgia Railroad, 1841-1878. Regrettably, King's papers were destroyed by a fire that swept his home in 1914. Otherwise he would be a model subject for study. In this connection, see also David R. Goldfield, *Urban Growth in the Age of Sectionalism: Virginia, 1847-1861* (Baton Rouge, 1976). Goldfield's study concerns Virginia's failure to urbanize and industrialize. -

87 Calhoun to Robert S. Garnett, July 3, 1824, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, IX, 198-202.

88 John C. Calhoun, "Speech on the Force Bill," in Crallé, ed., *Works*, II, 207-208.

89 John C. Calhoun, "Obituary Address," *SQR*, new series, 11 (November 1850), 486-509. See also Calhoun, "Speech at Abbeville, S. C., May 17, 1825," in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 21-24.

90 *SQR*, new series, II (November, 1850), 490, 492. See also Henry D. Capers, *The Life and Times of Christopher G. Memminger* (Richmond, 1893), 34-35; John C. Calhoun to Major John A. Dix, January 2, 1829, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 541-542. As James Madison commented, the "true question" to be decided with respect to the tariff were the exceptions to the rule. While its opponents were not willing to concede any exceptions, its proponents would "convert the exceptions into the rule, & would make the Government, a general supervisor of individual concerns." Moreover, "the length to which they push their system, is involving it in complexities & inconsistencies, which can hardly fail to end in great modifications." (Hunt, ed., *Writings of Madison*, IX, 177-181.) See also Joseph Johnson to Joel R. Poinsett, March 22, 1830 (Poinsett Papers, Hist. Soc. of Pa., Philadelphia); John L. Watson to ?, August 30, 1832 (Watson Papers, SCL/USC). As Johnson wrote, the legislation of 1816 was one thing but "the arbitrary grant of money for sectional aggrandizement or Party purposes, is however a very different thing. Millions were granted to Ohio, Pennsylvania & the Eastern Ports to conciliate them to Mr. Clay's administration." As he added, he knew "nothing more capable of exciting sectional jealousies & even disunion, than the dangerous abuse of such grants under the late [Adams'] Administration." Indeed, "had they succeeded in the attempt to establish a Toll on the Cumberland Road & a police to enforce it, you would have seen resistance very soon."

91 "Report of the Committee Accompanying the Ordinance of Nullification," in *Journals of the Conventions of the People of South Carolina*, 28-29; Ross Robertson, *Economic History of the United States*, 241-242.

92 Dangerfield, *The Awakening of American Nationalism*, 231-239; *The Era of Good Feelings*, 346-353. See also John Quincy Adams, "First Annual Message to Congress," in Israel, ed., *State of the Union Messages*, 232-249. As Calhoun described this message, "most think that efforts at fine writing is [sic] much misplaced in composition of the kind. Still greater fault is found with the matter. The friends of State rights object to it as utterly ultra, and those, who in the main, advocate a liberal system of measures, think that the Message recommended so many debateable [sic]

subjects at once, as to endanger a reaction to those measures heretofore adopted and apparently acquiesced in." (Calhoun to Joseph Swift, December 11, 1825, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 56-57.) See also Thomas Jefferson to Richard Rush, October 13, 1824; to John Adams, January 8, 1825, in Lipscomb and Bergh, eds., *The Writings of Jefferson*, XVI, 76-77, 89-92. As Jefferson wrote to Adams, "this presidential election has given me few anxieties." In his opinion, it involved the question "whether we are at last to endure days under a civil or a military government." See also Jefferson's letters cited in notes 40-43; Peterson's discussion in *The Jeffersonian Image in the American Mind*, 17-24; and Samuel Tyler, *Memoir of Roger Brooke Taney*, LL.D. (Baltimore, 1876), 158-159, 174-177.

93 John C. Calhoun to Bartlett Yancey, January 14, 1827, *Papers of John C. Calhoun*, X, 252-254; *ibid.*, X, 232. For a discussion of Calhoun's "Onslow" letters of 1826, see Clyde N. Wilson's introduction to vol. X of *The Papers of John C. Calhoun*, xix-xxx. According to Wilson, although the letters exchanged between Calhoun and "Patrick Henry" turned on the narrow point of the Vice-President's power to intervene in debate to preserve order, it involved "much broader and more important issues of Constitutional construction." On the one hand, there was Calhoun who viewed power as hostile to liberty and saw the need not only to exercise it carefully but also to check its tendency to abuse by a strict construction of the Constitution. On the other hand, there was his opponent who believed "in the energetic, untrammelled, and effective exercise of power for ends which he regarded as public desiderata." (*Ibid.*, xx xxv.)

94 Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, xvi. The statement is by Clyde N. Wilson who edited vol. X and is now retired as the editor of the Calhoun Papers project. See also "Onslow" [John C. Calhoun] to "Patrick Henry" [John Quincy Adams?], October 12, 1826, in *ibid.*, 232. See also Calhoun to Martin Van Buren, July 7, 1826; Andrew Jackson to Calhoun, July 18, 1826; Calhoun to [Littleton Waller Tazewell?], June 13, 1826; to James Monroe, June 23, 1826; to Micah Sterling, May 31, 1826; to Andrew Jackson, June 4, 1826; to Virgil Maxcy, June 6, 1826; to Micah Sterling, September 20, 1826; to Micah Sterling, December 16, 1826, all in *ibid.*, 107-111, 112, 128-129, 132-134, 156-160, 204-205, 237-238. For the rising opposition to the Adams' administration, see in addition to these letters, John A. Calhoun to John C. Calhoun, April 14, 1827 (Calhoun Papers, SCL/USC). As he wrote, "the administration is cursed on every side."

95 Calhoun to Joseph G. Swift, March 10, 1825, *Papers of Calhoun*, X, 9-10; to Micah Sterling, February 4, 1826, X, 72-73. "The public will," wrote George McDuffie, "has been defeated by a corrupt administration, & therefore an example must be made of those who have been guilty of outrage upon the Constitution. Adams must and will go out at the end of four years & Jackson be elected to his place. The people will no doubt see to that."

96 In general, see Dangerfield, *Era of Good Feelings*, 331-345; *The Awakening of American Nationalism*, 212-230. For the probability that no candidate would secure a majority electoral vote, see Adams Beatty to Henry Clay, April 17, 1822; Henry Clay to Francis T. Brooke, November 26, 1824, in James F. Hopkins and Mary W. M. Hargreaves, eds., *The Papers of Henry Clay*, III, 192-193, 887-888; and the Lynchburg *Virginian*, August 1, 1823. On the "corrupt bargain," see Calhoun to Micah Sterling, February 4, 1826, and Calhoun to Lt. James Edward Calhoun, August 26, 1827, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 72-73, 302-305. As he wrote to Sterling, "Mr. Clay governs the President, the latter is in his power." See also Calhoun to Virgil Maxcy, February 18, 1825, *ibid.*, IX, 570. As he wrote, "things have taken a strange turn. It would require a little volume to detail all of the occurrences of the last two months . . . I wish to see you much, so that you may clearly understand the present extra-ordinary and important crisis." See also the Raleigh Register, November 8, August 14, October 2, November, 9, 1827 in Elliott, *The Raleigh Register*, 48-49. As George McDuffie described it "a coalition between Adams & Clay as unprincipled as any that has ever taken place in this country, produced the election of the former. Clay has literally sold his country (the West). . . . He gave five states to Adams in the House when these people were known to prefer Jackson" (George McDuffie to David J. McCord, July 15, 1825 (McDuffie Papers, SCL/USC).)

97 John C. Calhoun to Christopher Vandeventer, June 10, 1825, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 29-30; to Joseph G. Swift, March 10, 1825, *ibid.*, X, 9-10. For this very reason, Calhoun favored an amendment to the Constitution that would "secure to the people, a direct and decisive control in the choice of chief magistrate." (See Calhoun to Samuel L. Southard, October 11, 1825, *ibid.*, X, 47-48.) Both Jefferson and Madison also favored amendments. See Thomas Jefferson to Edward Everett, April 8, 1826, in Lipscomb and Bergh, eds., *The Writings of Jefferson*, XVI, 162-163; James Madison to George McDuffie, January 3, 1824 (McDuffie Papers, SCL/USC). That Calhoun supported such an amendment, of course, counters the argument that he and other Southern political leaders practiced an "aristocratic" brand of politics. As William W. Freehling writes, "South Carolina's political order reflected the high-toned conservatism of an entrenched landed aristocracy. . . . Nowhere else in America did the wealthy class so successfully conspire to keep power away from the common man." (*Prelude to the Civil War*, 89.) For more on the "corrupt bargain," see Dutee J. Pearce to J. L. Tillinghast, January 13, 1828 (Pearce Papers (SCL/USC); Calhoun to Samuel D. Ingham, June 10, 1825; to Samuel L. Southard, August 16, 1825; Andrew Jackson to Calhoun, July 18, 1826; Calhoun to Micah Sterling, September 20, 1826; to Bartlett Yancey, January 4,

1827; to Andrew Jackson, February 25, 1827; to Mahlon Dickerson, April 7, 1827, all in *The Papers of John C. Calhoun*, X, 28-29, 37-39, 128-129, 158-160, 204-205, 242-254, 267-268, 283. In his letter to Dickerson, Calhoun wrote, "to regard the struggle in its proper light, as one of principle, I do not hesitate to affirm it to be . . . the most important that has ever occu[r]ed under our system. It is more vital, than that of '98."

98 The campaign itself, which began in 1820, can be followed in vols. V-X of *The Papers of John C. Calhoun* and vol. III of *The Papers of Henry Clay*. See also Chase C. Moonry, *William H. Crawford, 1772-1834* (Lexington, Ky., 1974).

99 John C. Calhoun to Henry Wheaton, September 2, 1821; to Virgil Maxcy, January 22, June 12, 1822 in *The Papers of John C. Calhoun*, VI, 364-365, 631; VII, 159-161; William Johnson to Joel R. Poinsett, January 3, 1822 (Poinsett Papers, Hist. Soc. of Pa.); Henry H. Cumming to Julia A. Bryan, November 26, 1822 (Hammond-Bryan-Cumming Families Papers, SCL/USC).

100 See William Creighton, Jr. to Henry Clay, May 2, 1822, in Hopkins, ed., *Papers of Henry Clay*, III, 204-206. As he wrote, "the country has already become disgusted with the intrigues of the Cabinet Candidates [Calhoun and Crawford], and will turn from them to seek a private Citizen unconnected with the administration or Congress."

101 John C. Calhoun to Ninian Edwards, June 12, 1822, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, VII, 159-161. See also Calhoun to Samuel D. Ingham, September 1, 1829 (Calhoun Papers, SCL/USC, typescripts). As Calhoun wrote, "the line of operation is to attack me, and to separate [sic] me from the administration." On the "strong . . . disposition to reduce the various establishments of the government, and to bring about as much retrenchment as possible," see Lt. Col. Henry Leavenworth to Col. James Gadsden, May 1, 1822, in *Papers of John C. Calhoun*, VII, 87-88. For the Panic of 1819, see the Augusta, Ga., *Chronicle*, February 10, 1819; February 24, March 18, June 20, 29, August 1, 8, September 14, 21, 26, 1820; January 21, February 7, 21, March 4, 1822; *Lynchburg Press and Public Advertiser*, September 30, November 13, 30, December 7, 14, 31, 1819; February 4, 18, 29, March 21, June 16, 23, July 17, 1820; August 23, 30, 1822.

102 As Calhoun expressed it to Micah Sterling, "I have been accused of ambition." Calhoun to Sterling, January 26, 1828, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 340. For one example, see the Raleigh, N. C., *Standard's* charge that Calhoun "Had abandoned all his former principles, and surrendered himself, soul and body, into the polluting embraces of the moneyed aristocracy, and given himself over to bank-whiggery. (Ibid., March 27, 1835.) See also *ibid.*, May 1, 15, 1835. For denials of these charges, see the Raleigh *Register*, April 7, 14, 1835; Richmond, Va., *Whig & Public Advertiser*, May 19, 1835. See also "Lilburne," in *Papers of John C. Calhoun*, X, 162-164. For other political attacks on Calhoun, see Calhoun to Lt. James Edward Colhoun, January 23, 1828, *ibid.*, X, 336-339; Robert Y. Hayne to Stephen D. Miller, January 26, 1830 (Hayne Papers, SCL/USC). As Hayne wrote, "great efforts have been making here [Washington] to hold up Judge [William L.] Smith as a martyr to principle . . . [Martin] Van Buren is willing to use Smith & his influence at home to destroy Calhoun." See also John P. Richardson to Col. James Chesnut, March 14, 1836 (Richardson Papers, SCL/USC). For examples of these accusations against Calhoun, see James Parton, *The Presidency of Andrew Jackson*, ed. by Sellers, 279-295; Edwin P. Starr to Robert Campbell, August 22, October 3, 1831 (Starr Papers, SCL/USC). Referring to the efforts of James Hamilton and Robert Y. Hayne to effect nullification, Starr wrote that "the design of all this is to give power & plan to them who would ride on the storm. They well know that Calhoun has no chance of being elected Presid[en]t." Rather than "not reign at all," however, "they are anxious to reign over a few states. Calhoun they well know is the most conspicuous man in the three states & it is thought the mantle of a Presid[en]t, Prince, or dictator would fall on him, and through him succession would be secured to them." (Starr to Grantland, June 14, 1830, *ibid.*) In his letter to Robert Campbell of August 22, 1831, Starr referred to "the demagogues of Carolina." For the persistence of this charge, see William Gilmore Simms to James Henry Hammond, April 2, May 1, 1847; Hammond to Simms, May 15, 1847, in Mary C. Simms Oliphant, ed., *The Letters of William Gilmore Simms* (5 vols., Columbia, S. C., 1952-1956), II, 293-297, 309-314, 310n. In Simms' opinion, Calhoun's moves were motivated by his "rabid anxiety for the Presidency." As he also wrote, Calhoun's "doctrine of the State veto arose wholly from Jackson's recognition of Van Buren as heir apparent." (Simms to Hammond, April 22, 1847, *ibid.*, II, 293-297.) See also the *North American Review*, 76 (April, 1853), 473-507 and *ibid.*, 101 (October 1865), 379-434; and Edward Everett to J. E. Denison, April 2, 1850 and to Abbott Lawrence, April 2, 1850 (Everett Papers, MHI, reel 29, frames 195-198). For Calhoun's defense, see his letters to Virgil Maxcy, March 13, 1823; to Andrew Jackson, March 30, 1823, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, VII, 517-519, 550. As he wrote to Maxcy, "I stand on the great Republican cause, free alike from the charge of Federalism or Radicalism." See also notes 90, 91, 96-97 and chapter below.

103 Calhoun. to Samuel D. Ingham, April 5, 1822, in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, VII, 12-13. See also Calhoun to Ninian B. Edwards, August 20, 1822, *ibid.*, VII, 247-249; "Speech on the Dangers of 'Factious Opposition,' January 15, 1814," *ibid.*, I, 189-200.

104 Calhoun to Lt. James Edward Colhoun, January 23, 1828, *Papers of John C. Calhoun*, X, 336-339; Calhoun to Samuel D. Ingham, July 23, 1828, *ibid.*, X, 402; Calhoun to Martin Van Buren, September 28, 1828, *ibid.*, X, 425.

105 Calhoun to Micah Sterling, June 29, 1828, *Papers of John C. Calhoun*, X, 391-392; to Duff Green, July 1, 1828, *ibid.*, X, 392-393; to John McLean, July 10, 1828, *ibid.*, X, 397-398; to James Monroe, July 10, 1828, *ibid.*, 398-400; to Bartlett Yancey, July 16, 1828, *ibid.*, X, 401; Thomas Lehre to James Madison, July 21, 1828, in Hunt, ed., *Writings of James Madison*, IX, 314; Madison to Lehre, August 2, 1828, *ibid.*, IX, 316. See also Thomas Cooper to Joseph Parker, Birmingham, England, February 21, 1829 (Thomas Cooper Papers, SCL/USC) and Henry H. Cumming to Julia A. B. Cumming, September 20, 1829 (Hammond-Bryan-Cumming Papers, SCL/USC).

Notes

The Republic Preserved, 1828-1833

The quotes on the preceding pages are from John C. Calhoun to Micah Sterling, June 29, 1828, in Robert L. Meriwether, W. Edwin Hemphill, and Clyde N. Wilson, eds., *The Papers of John C. Calhoun* (10 vols. to date, Columbia, S. C., 1959-1977), X, 391-392; John C. Calhoun, "The South Carolina Exposition" of 1828 in *ibid.*, X, 492; John C. Calhoun to Samuel D. Ingham, December 30, 1830 (Calhoun Papers, SCL/USC); Auraria, Ga., *Western Herald*, April 30, 1833; John C. Calhoun to Samuel D. Ingham, July 8, 1832 (Calhoun Papers, SCL/USC); and Thomas Cooper to Joseph Priestly, January 26, 1833 (Cooper Papers, SCL/USC).

1 Thomas Cooper, *Consolidation*, 16-17. See also John C. Calhoun, "Address to the People of South Carolina," ca. 12/1/1830? (Calhoun Papers, SCL/USC). As he declared, "already the fearful consequences of consolidation, discord, corruption and oppression begin to disclose themselves, & in due time, if not arrested, aristocracy & monarchy must succeed." For similar sentiments, see John Winsmith, draft of "An Address Before the State Rights and Free Trade Association of Spartanburg and Union Districts," 1830/1831? (Winsmith Papers, SCL/USC); Joseph Johnson to Joel Roberts Poinsett, March 22, 1830 (Poinsett Papers, Hist. Soc. of Pa., Philadelphia); Calhoun to Samuel D. Ingham July 8, 1832 (Calhoun Papers, SCL/USC); and the "Report of the Committee Accompanying the Ordinance of Nullification, November 24, 1832," in *Journals of the Conventions of the People of S. C.*, 30, 39-40.

2 Calhoun, "Address to the People of South Carolina," ca. 12/1/1830?; Thomas Cooper to Joseph Priestly, January 26, 1833 (Cooper Papers, SCL/USC).

3 Calhoun, "Address to the People of South Carolina;" "South Carolina Exposition," in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 488. See also Robert Barnwell Rhett's comments in White, *Robert Barnwell Rhett*, 48-49.

4 Thomas Jefferson to John Holmes, April 22, 1820, in Andrew Lipscomb and Albert Ellery Bergh, eds., *The Writings of Thomas Jefferson* (20 vols., Washington, D. C., 1903-1904), XV, 248-250.

5 Jefferson to Holmes, April 22, 1820 in *ibid.* There is in Jeffersonian and Early National historiography perhaps no more misunderstood phrase than Jefferson's statement about a "fire-bell in the night." As interpreted by most historians, it refers solely to the slavery issue and is used to reveal the depth of Southern anxiety over slavery. That the phrase applies to something else entirely different, however, namely the problem of majority tyranny, demonstrates the extent to which historians of a liberal persuasion have distorted the Southern reaction of the 1820's and after. Indeed, reacting to the Civil Rights movement of the 1950's and 1960's, and feeling guilty about the denial of rights to blacks, these historians transferred their own guilt to the antebellum South. Not only that they used the general anxiety of the period as a back-drop against which to discuss slavery in the Old South. Thus, in the antebellum period, as in the 1950's, blacks were on the march, forcibly resisting repression. The only problem with this view, as David Donald reminds us, is it relates more to the 1950's and 1960's than to the 1820's and 1830's. See Donald, "The Pro-Slavery Argument Re-Visited." That Jefferson's phrase applies to majority tyranny also reminds us of the value of republican ideology in clarifying the events and developments of the 1820's. Indeed, without knowledge of the extended Republic, majority faction, and balanced government, key elements in Americans' republican inheritance, it is not possible to understand Jefferson or Calhoun or the South in general.

6 Calhoun to Samuel D. Ingham, December 3, 1830 (Calhoun Papers, SCL/USC); Calhoun to Samuel Smith, July 28, 1828, *Papers of John C. Calhoun*, X, 403-404.

7 Jefferson to William Short, April 13, 1820, Lipscomb and Bergh, eds., *Writings of Jefferson*, XV, 243-248; James Madison to Benjamin F. Papoon, May 18, 1833, in Hunt, ed., *Writings of Madison*, IX, 518-519.

8 For the theory of the “extended Republic,” see James Madison, *The Federalist* Nos. 10, 51, in Rossiter, ed., *The Federalist Papers* (New York, 1961), 77-84, 320-325. For Calhoun’s understanding of this principle, see his letter to James Hamilton, Jr., August 28, 1832 (Calhoun Papers, SCL/USC). This letter is reprinted in vol. 11 of *The Papers of John C. Calhoun* (1978), 613-649. “Address to the People of South Carolina” (ibid.) and “The South Carolina Exposition” of 1828 in Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun*, X, 444-533.

9 Calhoun to Hamilton, August 28, 1832 (Calhoun Papers, SCL/USC); “South Carolina Exposition” in *The Papers of John C. Calhoun*, X, 444-446, 486, 492, 496, 498; Calhoun to James Monroe, September 5, 1828, ibid., 416-418.

10 Calhoun, “Address to the People of South Carolina.” See also the Auraria, Ga., *Western Herald*, April 9, 1833.

11 “South Carolina Exposition,” *The Papers of John C. Calhoun*, X, 526.

12 “Address to the People of S. C.” See also the “South Carolina Exposition” in *The Papers of John C. Calhoun*, X, 492-496; and John C. Calhoun to John McLean, October 4, 1828, ibid., X, 426-428. As expressed by the Lynchburg, Va., *Jeffersonian and Virginian Times* in 1833, it was a maxim among historians and statesmen for centuries, that a Republic cannot exist over any considerable extent of territory.” As it noted, however, the American Republic had overcome this bias by extending the sphere of government. “Our system presents one Republic as to all external concerns---and twenty-four Republics as to all internal concerns.” (Quoted in the Auraria, Ga., *Western Herald*, June 4, 1833.) See also James Monroe, Second Inaugural Address, March 5, 1821, in *Inaugural Addresses of the Presidents*, 38-45.

13 “South Carolina Exposition” of 1828 in *The Papers of John C. Calhoun*, X, 494-496.

14 “South Carolina Exposition,” ibid., X, 496; Calhoun to James Monroe, September 5, 1828 ibid., 417. See also Calhoun to Alexander Hamilton, March 28, 1830 (Calhoun Papers, SCL/USC).

15 “South Carolina Exposition,” ibid., X, 490-492.

16 “South Carolina Exposition,” ibid., X, 488; “Address to the People of S. C.” See also James Madison’s allegory, “Jonathan Bull & Mary Bull” [1821] in Hunt, ed., *Writings of Madison*, IX, 77-85.

17 “South Carolina Exposition,” ibid., X, 448-466, 470, 486-488. See also Robert Y. Hayne to Warren R. Davis, September 25, 1827; to Churchill Cambreleng, May 21, 30, 1828 (Hayne Papers, SCL/USC).

18 “South Carolina Exposition,” ibid., X 456, 470; Auraria, Ga., *Western Herald*, April 9, 1833.

19 “South Carolina Exposition,” in *The Papers of John C. Calhoun*, X, 500-502. As Judge William Rawle remarked, “we once believed that the danger to the Republic lay on the side of the States.” Now, however, we acknowledge our error and believe with Jefferson “that tyranny would begin where power was the strongest [on the side of the national government].” See “The Right of Secession,” in the Augusta, Ga., *Chronicle*, August 23, 1834. See also Calhoun to John McLean, October 4, 1828, in *The Papers of John C. Calhoun*, X, 426-428; and “An Address to the People of S. C.” (Calhoun Papers, SCL/USC).

20 “South Carolina Exposition,” ibid., X, 504.

21 “South Carolina Exposition,” ibid., X, 506.

22 “South Carolina Exposition,” ibid., X, 506.

23 “South Carolina Exposition,” ibid., X, 444-446, 494-498, 508-510; “An Address to the People of S. C.” .

24 “South Carolina Exposition,” ibid., 506-509; “An Address to the People of S. C.” As Calhoun wrote to Bartlett Yancey, “that they [the States] have adequate power, when all other fails, to apply constitutionally an efficient remedy I do not doubt. The Virginia Report and resolution in ‘98 are conclusive on that point.” (*Papers of John C. Calhoun*, X, 401.) “Our reliance,” declared James Hamilton, Jr., “. . . is on the Virginia and Kentucky Resolutions of ‘98. (Boucher, *The Nullification Controversy*, 33.) See also note 68 below.

25 “South Carolina Exposition,” ibid., X, 530-532.

26 Calhoun to Christopher Vandeventer, August 4, September 8, 1828, in *The Papers of John C. Calhoun*, X, 405- 408, 420-422. See also Calhoun to Micah Sterling, June 29, 1828; to Duff Green, July 1, 1828; to Samuel Smith, July 5, 1828; to John McLean, July 10, 1828; to Bartlett Yancey, July 16, 1828; to Micah Sterling [?], September 1, 1828, all in ibid., 391-395, 397-398, 401, 414-416. For the reaction in South Carolina to the Tariff of 1828, see William C. Preston to Waddy Thompson, January 23, 1829 (Preston Papers, SCL/USC). As he wrote, “the state is exhausted by its paroxysm of excitement.” As William Drayton commented, “the passage of the ‘Tariff Bill, has, as anticipated, created a great & universal excitement.” As he noted, however, “nothing definite has been resolved, except by a very small number of individuals who are zealous for secession of the State from the Union & erecting ourselves into an independent Sovereignty. My own opinion is that we shall correspond. . . & resolve and ultimately do nothing.” (ALS, June 17, 1828, William Drayton Papers, SCL/USC.) See also Thomas Lehre to James Madison, July 21, 1828, in Hunt, ed., *Writings of James Madison*, IX, 314; Thomas Harrison to Stephen D. Miller, October 11, 1828 (David Rogerson Williams Papers, SCL/USC).

- 27 Calhoun to Maj. John A. Dix, September 1, 1828, in *The Papers of John C. Calhoun*, X, 413-414.
- 28 Calhoun to William Campbell Preston, November 6, 21, 1828, in *The Papers of John C. Calhoun*, X, 431-434. In the first of these letters, Calhoun referred specifically to the Kentucky and Virginia resolutions of 1798.
- 29 Edwin P. Starr to Seaton Grantland, June 14, 1830 (Starr Papers, SCL/USC); Tomlinson Fort to John C. Calhoun, July 15, 1832 (Calhoun Papers, SCL/USC). See also Edwin P. Starr to Robert Campbell, August 22, 29, 1831 (Starr Papers, *ibid.*); Parton, *Life of Andrew Jackson*, ed. by Remini, 265; Boucher, *The Nullification Controversy*, 60, 97.
- 30 In general, see Boucher, *The Nullification Controversy*; Freehling, *Prelude to Civil War*; Lilian E. Kibler, Benjamin F. Perry: Unionist (Durham, N. C., 1946); Linda Rhea, *Hugh Swinton Legaré: A Charleston Intellectual* (Chapel Hill, 1934). The intense reaction to nullification is not easily explained, especially in view of the widespread acceptance of states' rights principles. Everyone, it seems, paid lip service to the principles of 1798. One of the key factors in this respect was the confusion of nullification with secession (which it was not). Significantly, the opponents of nullification labeled the Nullifiers as "fire-brands" and "secessionists" who would destroy the Union. At the same time, they also used the more negative term "nullification" (as opposed to "state interposition") to cast aspersions on its advocates, a tactic which reminds one of the Federalists in their debate with the Anti-Federalists in 1787-1788. The chief fear, however, seems to have been the threat of civil war or more precisely the recognition that President Jackson would employ force if necessary. Jackson, it should be remembered, was a military chieftain. In this sense, the Nullification controversy is indicative of an emerging nationalism in American life and its corollary belief that the Union must be preserved. It also marks that point in time when Americans' original republican beliefs were losing ground and being accommodated to a more democratic-egalitarian ideology. In short, the opponents of nullification expropriated the language and symbols of states' rights for themselves without fully believing in them. Hence, the ambiguous, paradoxical "Jacksonian" who not only believed in states' rights, strict construction, and secession, but also in democracy, loose construction, nationalism, and the Union as absolute. Hence also the "myth of democracy" which denied to Calhoun and the Nullifiers their legitimate claim as heirs not only of 1798 but of 1776 as well. For the charge that nullification was tantamount to secession, see notes 31-41. See also the letters of Charles Eaton Haynes (August 24, 1832), James M. Wayne (August 6, 1832), T. W. Foster (September 10, 1832), G. W. Owens (August 27, 1832), and William Schley (September 4, 1832) to the Richmond County, Ga. Committee of Correspondence [Colonel William Cumming, John P. King, and Augustus Slaughter] "on the subject of Nullification" in the Athens, Ga., *Southern Banner*, September 14, 21, 28, 1832. These same men also denied any connection between "Calhounism" and Jefferson's actions in 1798. On this point, see also the article "Jefferson vs. Calhounism" in *ibid.*, September 14, 1832. These letters are typical of others that can be found in the press of the day. For other examples, see the newspapers listed in the bibliography for the years 1832-1835. For the terms "nullification" and "State interposition," see Calhoun's letter to ?, ca. 1831 (Calhoun Papers, SCL/USC). As he wrote, "nullification is not my word. I never use it . . . My purpose is a suspensive veto. . . I do not wish to destroy the Union! I only wish to make it honest!" On the threat of civil war, see notes 31-41 as well as the letters on nullification cited in the Athens, Ga., *Southern Banner* above. For the paradoxical nature of Jacksonian Democracy, see Marvin Meyers, *The Jacksonian Persuasion* (Stanford, 1957). For Jackson's nationalism, see notes 78-87. See also "Marcellus" in the Athens, Ga., *Southern Banner*, September 14, 1832. For a defense of Nullification and its consistency with the principles of 1776 and 1798, see "Lexington," in *ibid.*, September 21, 1832 and the letters of Seaborn Jones (August 25, 1832) and Augustin S. Clayton (August 13, 1832) in *ibid.*, September 21, 1832. See also note 68 below.
- 31 Kibler, *Benjamin Perry*, 121; Boucher, *The Nullification Controversy*, 15-16.
- 32 David Rogerson Williams to Stephen D. Miller, September 7, 25, 1828 (Williams Papers, SCL/USC).
- 33 Kibler, *Benjamin F. Perry*, 93, 105.
- 34 *Ibid.*, 52-53, 90, 94, 97. See also Hugh Swinton Legaré, "Oration before the Union and State Rights Party, July 4, 1831," in Mary S. Legaré, ed., *Writings of Hugh Swinton Legaré*, 1, 270-279; Richard Irvine Manning to Calhoun, September 17, 1832 (Calhoun Papers, SCL/USC).

- 35 James Monroe to Calhoun, August 14, 1828, in *The Papers of John C. Calhoun*, X, 408-410.
- 36 James Monroe to Calhoun, August 14, 1828, in *The Papers of John C. Calhoun*, X, 408-410. See also Monroe to Calhoun, January 7, 1829, *ibid.*, X, 546-548.
- 37 James Monroe to Calhoun, August 14, 1828, in *The Papers of John C. Calhoun*, X, 408-410.
- 38 James Madison to Mathew Carey, July 27, 1831, in Hunt, ed., *The Writings of James Madison*, IX, 462-464; to Joseph C. Cabell, March 22, 1827, *ibid.*, 284-287. See also Madison to Nicholas P. Trist, Dec. ?, 1831; to Henry Clay, March 22, 1833, in *ibid.*, 471-478.
- 39 Madison to Everett, August 28, 1830, in *ibid.*, IX, 383-403; to Edward Coles, August 29, 1834, in *ibid.*, 536-542. See also Madison's "Notes on Nullification" [1835-1836] in *ibid.* As Madison wrote to Nicholas P. Trist on December 23, 1832, "it is high time that [the] claim to secede at will should be put down by the public opinion." (*Ibid.*, IX, 486-494.).
- 40 Madison to Edward Everett, August 28, 1830, *ibid.*, IX, 383-403. See also Madison to M. L. Hurlbert, May?, 1830 *ibid.*, 370-375; to Robert S. Garnett, February 11, 1824, in *ibid.*, 176-177; and Madison's "Notes on Nullification."
- 41 Madison, "Notes on Nullification," in *ibid.*, IX, 573-607. Madison's opposition to nullification represents a special case. On the surface, at least, he was a confirmed Jeffersonian Republican and a prime mover in the Virginia Resolutions of 1798. He also led the movement against the latitudinarian decisions of the Marshall Court during the period 1816-1819. Yet in the 1830's he denied the basic assumptions of the states' rights school. The answer to this riddle lies in Madison's own view of the American government as unique. As he stated again and again, it was neither federal nor national but a combination of both. In his opinion, too much power, be it on the side of the national government or the states, was an evil to be avoided. In either case, the Republic was threatened. The problem with this view, however, was that it was divorced from reality. Theoretically, the American system should have operated in that fashion. In actuality, however, that well-designed scheme of government was breaking down. It was no longer federal in nature but preponderating toward the national side, which tendency Calhoun fully appreciated and attempted to remedy. In effect, Madison remained the neutral observer, the theoretician. When it came time to apply republican principles, however, he recoiled. In this sense, it is possible to see in Madison a latent nationalism which the events and developments of 1832 brought to the fore. After all, he was one of the authors of *The Federalist* as well as an early advocate of strengthening the old Articles of Confederation. Consider, too, his initial opposition to a Bill of Rights. Like other men of his day, too, he was also caught up with the idea of civil war which he believed must be the inevitable outcome of nullification. And it was the threat of war that caused Madison and others to forge part of their republican inheritance and to denounce nullification. For Madison's early career and beliefs, see Chaps. IV and V above. For his defense of state rights and strict construction, see Chap. VI. For his suspected nationalism, see Chaps. II and III. On the threat of civil war and its influence on Madison's thought and actions, see his letters to Henry Clay, March 22, 1833, in Hunt, ed., *Writings of Madison*, IX, 477- 478 and to Edward Coles, August 29, 1834, *ibid.*, 536-542.
- 42 Calhoun to James Hamilton, Jr., July 28, 1832 (Calhoun Papers, SCL/USC).
- 43 In general, see Boucher, *The Nullification Controversy*; Kibler, *Benjamin F. Perry*; and Freehling, *Prelude to Civil War*. For Starr's assessment of Hamilton, see his letter to Seaton Grantland, June 14, 1830 (Starr Papers, SCL/USC). See also Benjamin F. Taylor to Richard Singleton, September 23, 1832 (Taylor Papers, SCL/USC).
- 44 Edwin P. Starr to Seaton Grantland, June 14, 1830 (Starr Papers, SCL/USC). See also Starr to Robert Campbell, August 22, October 3, 1831 (*ibid.*).
- 45 In general, see Boucher, *The Nullification Controversy*; Kibler, *Benjamin F. Perry*; and Freehling, *Prelude to Civil War*. The quotes are from Boucher, *The Nullification Controversy*, 125-126 and Freehling, *Prelude to Civil War*, 235. The campaign itself can be followed in the letter of James Hamilton, Jr. As he wrote to Stephen D. Miller on June 25, 1831, "you will see by the papers that our party are coming out on the 4th. . . I think we have our opponents in this affair completely on the hip. After this festival is over we shall go business in good earnest & endeavor [sic] to unite our party throughout the State. What has been doing and what is doing in the Northeastern portion of the State . . . ? How can we aid you?" (Hamilton Papers, SCL/USC.) See also Hamilton to Waddy Thompson, August 31, 1832 and to Patrick Noble, October 9, 1832 (*ibid.*); Benjamin F. Taylor to Richard Singleton, August 18, September 23, 1832 (Taylor Papers, *ibid.*); Calhoun to James E. Calhoun, May 3, 1830 (Calhoun Papers, *ibid.*). On Cooper's role, see Dutee J. Pearce to J. T. Tillinghast, January 13, 1828 (Pearce Papers, *ibid.*); and Cooper to Joseph Priestly, January 26, 1833

(Cooper Papers, *ibid.*). See also Cooper's *Hints, Suggestions, and Contributions toward the Labours of A Convention* (Columbia, 1832). Further information can be gained from Elizabeth Merritt, *James Henry Hammond, 1807- 1864* (Baltimore, 1923) and Laura White, *Robert Barnwell Rhett: Father of Secession* (New York, 1931). See also the New Orleans *Bee*, December 4, 6, 7, 11, 15, 1832 and the Athens, Ga., *Southern Banner*, September 7, 14, 21, 28, October 26, November 2, December 1, 1832.

46 "Address on the Relation which the States and General Government bear to Each Other, July 26, 1831" [the "Fort Hill" letter], in Crallé, ed., Works, VI, 60-61. For similar expressions, see among other writings by Calhoun, his "South Carolina Exposition" of 1828 in *The Papers of John C. Calhoun*, X, 496-498; "Address to the People of South Carolina", and-Calhoun to James Hamilton, Jr., August 28, 1832, in Important Correspondence on the Subject of State Interposition between His Excellency Gov. Hamilton an& H-on. John C. Calhoun C-C-Ea-rl-@s-ton, 1832). A copy of this pamphlet is in the Calhoun Papers, SCL/USC.

47 Draft of "An Address Before the State Rights and Free Trade Association of Spartanburg and Union Districts," ca. 1830-1831 (John Winsmith Papers, SCL/USC).

48 Winsmith, "Address."

49 Winsmith, "Address."

50 "South Carolina Exposition," *Papers of John C. Calhoun*, X, 512-514, 518-528.

51 Winsmith, draft of "An Address Before the State Rights and Free Trade Association of Spartanburg and Union Districts," ca. 1830-1831 (Winsmith Papers, SCL/USC).

52 Winsmith, "Address." See also Calhoun to James Hamilton, Jr., August 28, 1831, in *Important Correspondence*, 18.

53 See Calhoun to William Campbell Preston, November 6, 21, 1828; January 6, 1820 in *The Papers of John C. Calhoun*, X, 431-434, 545-546. On Calhoun's "behind-the-scenes" movements, see Edwin P. Starr to Robert Campbell, August 22, October 3, 1831 (Starr Papers, SCL/USC) and Dutee J. Pearce to J. T. Tillinghast, February 7, 1832 (Pearce Papers, *ibid.*) See also Charles J. McDonald to Calhoun, May 30, 1831 (Calhoun Papers, SCL/USC); Calhoun to Christopher Vandeventer, August 5, 1831 (*ibid.*)

54 Calhoun to Samuel D. Ingham, June 16, 1831 (Calhoun Papers, SCL/USC). See also Calhoun to Ingham, July 31, 1831; to Francis W. Pickens, August 1, 1831; to John Clark, August 4, 1831; to Charles J. McDonald, August 4, 1831; and to Charles Fisher (all in *ibid.*).

55 Quoted in Crallé, ed., Works, VI, 60-61, 63, 73. See also Calhoun to James Hamilton, Jr., August 28, 1832, in *Important Correspondence*, 4-8, 17, 22-23. As he wrote to Hamilton, "it is acknowledged, on all sides that the duration and stability of our system depends on maintaining the equilibrium between the States and the General Government---the reserved and delegated powers. We know, that the Convention which formed the Constitution, and the various State Conventions which adopted it, as far as we are informed of their proceedings, felt the deepest solicitude on this point. They saw and felt there would be an incessant conflict between them, which would menace the existence of the system itself, unless properly guarded." Indeed, "no check more effectual can be found; or desired, than Nullification, or the right of arresting, within the limits of a State, the exercise by the General Government, of any powers, but the delegated. . . ."

56 Edwin P. Starr to Robert Campbell, August 22, 1831 (Starr Papers, SCL/VSC).

57 *Ibid.* Starr, a newspaper editor in Charleston, was writing to Campbell of Augusta, Georgia, to counteract nullification sentiment in that city and state. "Could some of the leading men of Georgia be brought out against our Nullifiers & unequivocally," he wrote, "I think it would be a service rendered our common country. I mean such men as Col. [William] Cumming, W[illiam] H. Crawford, Gov[ernor]r Gilmore, & c. & c." In this connection, see the correspondence on the subject of nullification by leading Georgia political figures in the Athens, Georgia, Southern Banner,

58 S. H. Townes to Armistead Burt, February 9, 1832; to George F. Townes, February 10, 1832 (Townes Family Papers, SCL/USC). See also B Coles to ?, December 26, 1832 (Singleton-Deveaux Collection, SCL/USC).

59 Freehling, *Prelude to Civil War*, 219, 252-253; Simms to Lawson, November 15, 1832, in Oliphant, ed., *Letters of William Gilmore Simms*, I, 46-48.

60 Freehling, *Prelude to Civil War*, 253-255; James Hamilton, Jr., to Waddy Thompson, August 31, 1832 (Hamilton Papers, SCL/USC). See also Calhoun to Virgil Maxcy, October 8, 1832; to Patrick Noble, October 31, 1832 (Calhoun Papers, SCL/USC); James Hamilton, Jr. to Patrick Noble, October 9, 1832; to William C. Preston, December 28, 1832 (Hamilton Papers, *ibid.*). As Calhoun wrote to Maxcy on October 8, "our election takes place today. The State rights party will triumph by a large majority. A convention of the people will certainly be called and the act [tariff] nullified."

61 Freehling, *Prelude to Civil War*, 260-263. For the Ordinance of Nullification, see *State Papers on Nullification* (Boston, 1834), 28-31; for the report of the convention, see *ibid.*, 1-27. See also the *Journals of the Convention of the People*, 49-53.

62 Charles Fraser to Hugh Swinton Legaré, January 30, 1833 (Legaré Papers, SCL/USC). See also Legaré to I. E. Holmes, October 2, 1832; to Edward Livingston, January 16, 17, 1833, in Mary S. Legaré, ed., *Writings of Hugh Swinton Legaré*, I, 162-164, 203-207.

63 See Freehling, *Prelude to Civil War*, 236-244.

64 Winsmith, draft of "An Address Before the State Rights and Free Trade Association of Spartanburg and Union Districts," ca. 1830-1831 (Winsmith Papers, SCL/USC); Benjamin F. Taylor to Richard Singleton, August 18, 1832 (Taylor Papers, *ibid.*). See also note 65.

65 Thomas S. Sumter to Thomas D. Sumter, August 23, 1831 (Thomas Sumter Papers, SCL/USC). See also "Address to the People of South Carolina, by Their Delegates in Convention, November 19-24, 1832," in *State Papers on Nullification*, 37-55. As Duff Gren wrote to Richard K. Crallé, "nullification. . . is nothing more than the doctrine of Virginia & the Republican party." (Green to Crallé, September 5, 1831, in "Calhoun As Seen by His Political Friends," 168-169). For similar sentiments, see Calhoun to Samuel D. Ingham, September 8, 1831 (Calhoun Papers, SCL/USC); R. Creswell of Mississippi to G. H. Townes of South Carolina, October 15, 1831 (Townes Family Papers, SCL/USC); Cooper, *Hints, Suggestions, and Contributions toward the Labours of a Convention* (preface). In Cooper's opinion, the "Convention manifesto ought to be full, not scanty, on all the topics of republican justification." See also "Our Forefathers and Ourselves," in the Halifax, N. C., *Roanoke Advocate*, January 10, 1833; "A Virginian," Nos. 1-5, in *ibid.*, January 10, 17, 24, 31, February 7, 1833; Judge John M. Berrien's "Fourth of July Oration," in the Augusta, Ga., *State Rights Sentinel*, August 14, 1834; "The Right of Secession" [by William Rawle of Pennsylvania], in *ibid.*, August 18, 28, 1834.

66 Benjamin F. Taylor to Richard Singleton, August 18, 1832 (Taylor Papers, SCL/USC); Calhoun, "An Address to the People of S. C." (Calhoun Papers, *ibid.*). According to Chauncey S. Boucher, "virtually all-were" opposed to the tariff, but there were wide differences as to the mode and measure of redress." (*The Nullification Controversy*, 35.) In Lilian Kibler's opinion, "Nullifiers Union men differed only as to the mode and measure of redress." (*Benjamin F. Perry*, 138.) See also the resolutions adopted by the South Carolina legislature in 1830 in Boucher, *The Nullification Controversy*, 104-106. For similar sentiments, see David Rogerson Williams to Stephen D. Miller, October 25, 1828 (Williams Papers, SCL/USC); and Langdon Cheves to David J. McCord, August 15, 1831 (Cheves Papers, SCL/USC). Cheves was opposed to separate state action. See also "Lexington," in the Athens, Ga., Southern Banner, September 21., 1832 and the New Orleans Bee, December 7, 1832. In that paper's opinion, although "the whole South. . .will go en masse against the tariff. . .the only question is, how to relieve themselves of the burden."

67 *State Papers on Nullification*, 37. See also Calhoun to Richard I. Manning, September 30?, 1832 (Calhoun Papers, SCL/USC). As he wrote, "no one more deeply laments the diversity of opinion which weakens and distracts the State, in this important juncture of our affairs" than he did. Nor was any one more desirous to "unite the two parties in any constitutional and efficient opposition to the Tariff." See also Calhoun to Charles J. McDonald, June 29, 1831 (Calhoun Papers, *ibid.*).

68 Calhoun to William Campbell Preston, November 6, 1828, in *The Papers of John C. Calhoun*, X, 431-432. See also Duff-Green to Calhoun, August 10, 1828, *ibid.*, 411-413; Calhoun to Francis W. Pickens, August 1, 1831 (Calhoun Papers, SCL/USC).

69 *Ibid.* See also Joseph Johnson to Joel R. Poinsett, May 23, 1829 (Poinsett Papers, Hist. Society of Pa.). On the ebb and flow of public opinion in South Carolina between 1828 and 1832, see Boucher, *The Nullification Controversy*, 7, 24-25, 36-42, 62.

70 Boucher, *The Nullification Controversy*, 60-64, 165- 169; Freehling, *Prelude to Civil War*, 247-250. Southern hopes for tariff reform as well as the debate on the tariff of 1832 can be followed in Calhoun to Francis W. Pickens, March 2, 1832; to Anna Maria Calhoun, March 10 1832; to Bolling Hall, April 3, 1832; to Richard K. Crallé, April 15, 1832; to Samuel D. Ingham, July 8, 1832; and to Waddy Thompson, July 8, 1832 (all in Calhoun Papers, SCL/USC). See also Willie P. Mangum's speech on the tariff, February 7, 1832, in Shanks, ed., *Papers of Willie P. Mangum*, V, 519-562. For the reaction to the tariff, see Benjamin F. Taylor to Richard Singleton, August 18, September 23, 1832 (Taylor Papers, SCL/USC).

71 Calhoun to Micah Sterling, January 7, 1829; to Patrick Noble, January 10, 1829, *The Papers of John C. Calhoun*, X, 548-550. See also A. Carter to Stephen D. Miller, September 30, 1828 (Miller Papers, SCL/USC); Joseph Johnson to Joel Poinsett, May 23, 1829 (Poinsett Papers, Hist. Society of Pa.); C. C. Sebring to Poinsett, July 17, 1830 (*ibid.*); Parton, *Life of Andrew Jackson*, ed. by Remini, 114; Merritt, James Henry Hammond, 16-17.

72 Robert Y. Hayne to Stephen D. Miller, January 26, 1830 (Hayne Papers, SCL/USC); Calhoun to Pickens, March 2, 1832 (Calhoun Papers, *ibid.*). See also Langdon Cheves to David J. McCord, August 15, 1830 (Cheves Papers, *ibid.*).

73 *State Papers on Nullification*, 23. In the words of Benjamin F. Taylor, "Th-e crisis is at hand when some decisive stand will be taken against the tariff." (Taylor to Richard Singleton, August 18, 1832 [Taylor Papers, SCL/USC]). Complicating matters in this respect was the split between Jackson and Calhoun in 1830-1831 over the Peggy Eaton affair and the Seminole affair. As a result of this personal enmity, Calhoun no doubt became convinced that as long as Jackson was President tariff reform was out of the question. As he wrote to Christopher Vandeventer on May 25, 1831: "Between Gen[era] Jackson and myself any connection personal and political is rescinded. He has proved himself unworthy of my friendship, or support." (Calhoun Papers, SCL/USC.) See also Robert Y. Hayne to Stephen D. Miller, January 26, 1830 (Hayne Papers, SCL/USC); H. H. Townes to Capt. G. F. Townes, March 10, 1831 (Townes Family Papers, *ibid.*); Calhoun to Samuel L. Gouverneur, March 30, 1830 (Calhoun Papers, *ibid.*); Calhoun to Ninian Edwards, February 18, 1831 (*ibid.*); Calhoun to Felix Grundy, June 18, 1831 (*ibid.*); Robert P. Campbell to Edwin P. Starr, August 29, 1831 (Starr Papers, *him.*); and "Narrative on the Dissolution of the First Cabinet" by Governor Branch of North Carolina in the Richmond *Whig & Public Advertiser*, February 9, 1835. On the Seminole Controversy, see Calhoun to Andrew Jackson, May 13, 1830; Jackson to Calhoun, May 13, 1830; Calhoun to James Monroe, May 17, 1830; Monroe to Calhoun, May 19, 26, 1830; and Calhoun to Monroe, May 26, 1830 (all in the Calhoun Papers, SCL/USC).

74 See notes 75-89, 99-100. For an excellent statement of this central issue, see Calhoun's "Speech on the Force Bill, February 15, 16, 1833," in Crallé, ed., *Works*, II, 197-262. See also "The Crisis," in the Halifax, N. C., *Roanoke Advocate*, December 13, 1832; "The Union and the States," *NAR*, 37 (July, 1833), 190-248; "Origin and Character of the Old Parties," *ibid.*, 39 (July, 1834), 208-268.

75 See Louis McLane, Secretary of the Treasury, to James R. Pringle, November 6, 1832 in the *New Orleans Bee*, February 20, 1833; John C. Fitzpatrick, ed., "The Autobiography of Martin Van Buren," in the *Annual Report of the American Historical Association for the Year 1918* (2 vols., Washington, 1920), 542-54.5; and Parton, Andrew Jackson, ed. by Remini, 292-293.

76 *State Papers on Nullification*, 95; Parton, *Life of Andrew Jackson* ed. by Remini, 297-301.

77 *New Orleans Bee*, December 15, 1832; Charlotte, N. C., *Miners' & Farmers' Journal*, January 5, 1833; Kibler, Benjamin F. Perry, 148; Parton, *Life of Andrew Jackson* ed. by Remini, 302-303.

78 *New Orleans Bee*, January 31, 1833; Freehling, *Prelude to Civil War*, 284-286.

79 Fitzpatrick, ed., "Autobiography of Martin Van Buren," 414-417; James Parton, *The Life of Andrew Jackson*, ed. by Remini, 114-116. The occasion for this statement was the celebration of Jefferson's birthday in Washington on April 13, 1830. See also "The New State Rights Doctrine," in the Auraria, Ga., *Western Herald*, May 21, 1833.
80 *State Papers on Nullification*, 86-88. This view of the Constitution and the Union, Jackson added was supported by history. "In our colonial state, although dependent on another power, we very early considered ourselves as connected by common interests with each other. Leagues were formed for common defence, and before the Declaration of Independence we were known in our aggregate character as the United Colonies of America." Independence itself was accomplished jointly not severally as was that "solemn league. . .by which they [the States] agreed that they. . .would form one nation." Moreover, in the same "instrument forming that Union, is found an article which declares that 'every State shall abide by the determination of Congress on all questions. . .submitted to them.'" In sum, "we were the United States under the confederation" and we are still. "In none of these stages did we consider ourselves in any other light than as forming one nation." (*Ibid.*, 79.) Historically and constitutionally, of course, Jackson was most emphatically incorrect. For the Declaration in its more limited 18th century context, democratically and nationally, see Pauline Maier, *American Scripture: Writing the Declaration of Independence* (New York, 1997). See also Wood, vols. one and two of *Nullification, A Constitutional History, 1776-1833* (University Press of America, 2008).

81 *State Papers on Nullification*, 81.

82 *State Papers on Nullification*, 78, 82.

83 "Debate on Mr. Foot's Resolution," *SR*, VI (August 1830), 167-168. See also Richard M. Weaver, "Two Orators," *Modern Age*, 14 (1970), 226-242.

84 "Debate on Mr. Foot's Resolution," 168-169.

85 Calhoun, "Speech on the Force Bill, February 15, 16, 1833," in Crallé, ed., *Works*, II, 234.

86 Calhoun, "Speech on the Force Bill," *ibid.*, II, 377-379.

87 "Calhoun, "Speech on the Force Bill," *ibid.*, II, 381, 383, 384.

88 Calhoun, "Speech on the Force Bill," *ibid.*, II, 380-381.

89 Calhoun, "Speech on the Force Bill," *ibid.*, II, 381, 386. See also William Boykin to Stephen D. Miller, December 17, 1832 (Miller Papers, SCL/USC); Calhoun to Charles Kennon and others, August 10, 1833 (Calhoun Papers, *ibid.*); and Duff Green to Richard K. Crallé, December 15, 1832, March 4, 1833. As he wrote on March 4, "I conceive the bloody bill as worse than the Tariff. . . ." See also the Auraria, Ga., *Western Herald*, April 9, 16, May 21, 28, 1833. As a gentleman from New York stated: "I consider the proclamation as advocating an unlimited government." In his opinion, moreover, the situation of the U. S. now was like that of 1798. (*Ibid.*, May 28, 1833.) "It cannot be disguised," wrote Robert IVoolward Barnwell on January 16, 1833, "that many of his (Jackson's) suggestions are of a belligerent nature." (Barnwell Papers, SCL/USC.)

90 See "Letters on the Nullification Movement in South Carolina, 1830-1834," *AHR*, 6 (July, 1901), 736-76-5; 7 (October, 1901), 92-119.

91 Benjamin Watkins Leigh to the Governor of Virginia, February 22, 1833, in Flournoy, ed., *Calendar of Virginia. State Papers*, X, 584; James Hamilton, Jr. to Waddy Thompson, January 7, 1833 (Hamilton Papers, SCL/USC). See also Robert Y. Hayne to William C. Preston, February 17, 1833 (Hayne Papers, SCL/USC); ? to Robert M. Deveaux, May 6, 1833 (Singleton-Deveaux Collection, *ibid.*); *New Orleans Bee*, December 17, 1832.

92 See the Charlotte, N. C., *Miners' & Farmers' Journal*, March 2, 9, 16, 23, 30, April 6, 13, 20, 27, Halifax, N. C., *Roanoke Advocate*, January 17, 31, 1833; *New Orleans Bee*, January 3, February 1, 19, 20, 22, 26, 1833; Condé Raguét to Philip Tidyman, June 12, 1833 (Tidyman Papers, SCL/USC). The quote by Perry is from Kibler, *Benjamin Perry*, 151. See also "Journal of the Convention of the People of South Carolina, March 11-15, 1833," in *State Papers on Nullification*, 321-375.

93 "Journal of the Convention of the People of South Carolina, March 11-15, 1833," in *State Papers on Nullification*, 347-351.

94 "Journal of the Convention of the People of South Carolina, March 11-15, 1833," 350-351.

93 "Journal of the Convention of the People of South Carolina, March 11-15, 1833," in *State Papers on Nullification*, 347-351.

94 "Journal of the Convention of the People of South Carolina, March 11-15, 1833," 350-351.

95 "So it seems," declared the Halifax, N. C., *Roanoke Advocate* in 1833, "Nullification is likely to be successful if not the 'Rightful Remedy'." (January 10, 1833.) For statements that South Carolina was the "Virginia of 1798" and that she alone had resisted consolidation and corruption, see the Augusta, Ga., *Chronicle*, January 25, 1835 and Thomas Cooper to Joseph Priestly, January 26, 1833 (Cooper Papers, SCL/USC). As Calhoun wrote to Samuel D. Ingham in 1833, the political degeneracy of the times was related to "our departure from the great republican principles of '98." (Calhoun to Ingham, January 13, 1833, Calhoun Papers, *ibid.*) Believing that "we have been brought to our perilous situation, mainly, by a departure from the true principles of our government," Augustus B. Longstreet assumed editorship of the *State Rights' Sentinel* "in the hope of being in some small degree, instrumental in restoring them to those principles." (Augusta, Ga., *State Rights' Sentinel*, January 16, 1834.) See also the Auraria, Ga., *Western Herald*, December 28, 1833; Condé Raguét to Robert Y. Hayne, June 20, 1834 (Hayne Papers, SCL/USC); Joseph H. Dogan to his wife, December 10, 1834 (Benjamin F. Arthur Papers *ibid.*); Calhoun to John Stuart Skinner, February 15, 1835 (Calhoun Papers, *ibid.*); Calhoun to Edward W. North and others, March 24, 1835; Calhoun to G. N. Gordon, April 13, 1835 (*ibid.*); Duff Green to Richard K. Crallé, July 18, 1835, in "Calhoun as Seen by His Political Friends," 288; Robert Y. Hayne to Patrick Noble, September 21, 1835 (Hayne Papers, *ibid.*); and James Hamilton, Jr. to the Citizens of Norfolk, Virginia, October 14, 1835.

96 [—] Gordon to Robert M. Deveaux, February 17, 1835 (Singleton-Deveaux Collection, SCL/USC). "Nothing would give me more pleasure . . . at this dark period of her [Virginia's] history," he added, than to leave "my recreant state and plant my feeble self under the noble Palmetto of your high-minded & chivalrous Carolina."

97 Calhoun to Charles P. Daly and others, June 4, 1840, in Crallé, ed., *Works*, VI, 313-318.

98 See Max Farrand, ed., *Records of the Federal Convention*, I, xi-xii, xiv, xx, xxii.

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*January 26, April 30, 1832, in the Columbus, Ohio, Ohio State Journal and Columbus Gazette, January 2, 6, 1832. -UCop@ie@s O'l these le-tters are in the Calhoun Papers, SCL/USC.) What you have here, of course, is the beginning not only of the "myth of democracy" (including the idea that America began its career as a fully-unified, powerful state), but also the origin of the view that the South turned its back on the principles of 1776. As the Washington, D. C., Globe stated: "The truth is, the whole doctrine of Nullification is purloined. . . from Mr. Jefferson's unuttered and undigested thoughts." Jefferson, it noted, never presented the resolution containing the word "nullify." Not only that, he never assumed that ground. (Quoted in the Charlotte, N. C., Miners' & Farmers' Journal, February 16, 1833.) For the denial that nullification was sanctioned by the Founding Fathers, see "A Friend to Regular Government" and "Grotius," in the Athens, Ga., Southern Banner, February 8, March 15, April 3, 19, 26, June July 6, August 30, 1834. As these and other writers maintained, the Nullifiers drew not upon 1776 or 1798 but upon the Hartford Convention of 1814. See also *ibid.*, September 13, 1834, October 29, 1835 (on Calhoun at the "Southern Cataline").*

See also Madison's "Notes on Nullification," in Hunt, ed., *Writings of Madison*, IX, 573-607. One of the bases for this opinion, the new view of the Union as absolute, was the argument that the action of South Carolina in 1832

was in no way similar to that of Virginia in 1798. Whereas Virginia had protested against laws that were "palpably unconstitutional," opponents of nullification argued, South Carolina was resisting a constitutional law as Congress, they agreed, had the right to enact a tariff. According to John C. Miller, however, "the constitutionality of the Alien and Sedition Act was not carried to the Supreme Court." Indeed, there being "no question what its decision would have been," Republicans made no appeal. Only with respect to the Sedition Act, he adds, did "the Republicans seemingly [have] an impregnable case." Since "the admission of foreigners to asylum [was] not an absolute right but a revocable privilege," the Federalists "were right in assuming that the Federal government possessed the right of deporting aliens." (See John C. Miller, *Crisis in Freedom*, 139, 164-165, 166-167.) In this sense, the Nullifiers (including James Madison) can be charged with misinterpreting the historical record in order to build their case against the Nullifiers and to deny any relationship between 1832 and 1798. In similar fashion, they obscured the motives of the Nullifiers in opposing the tariffs of 1828 and 1832 by charging them with unconstitutional resistance to constitutional acts. For most part, however, the Nullifiers accepted in

Calhoun to Bolling Hall, April 3, 1832, (Calhoun Papers, SCL/USC). "I do hope all the old & experienced Democrats of 1798 will see, when they come to reflect, that I have originated no new doctrine, but have simply revised & illustrated those of the purest period of the party."

For his part, Calhoun lamented the fact "that the principles which elevated Jefferson. . . should now be considered treason." (Calhoun to Samuel D. Incham, September 8, 1831, Calhoun Papers, *ibid.*) As the editor of the *Charlotte, N. C., Journal* expressed it, "the true theory of our Government was acknowledged in 1798 and 1799." (*Charlotte, N. C., Journal*, July 3, 1835.) more to the point was the statement by the Roanoke Advocate which traced the origins of nullification not only to 1798 but also to the Whig, theory of balanced government. (*Roanoke Advocate*, December 13, 1832.) See also "Bolingbroke's criticism on the relation between Whig and Tory," in the *Augusta, Ga., Chronicle*, X-ray 17, 1834. Significantly, the descendants of many of the Nullifiers (and Southerners in general) were [labeled](#) who had fled from Stuart despotism in England. Not only that, many of them had fought in the Revolution and opposed the Constitution. For similar statements that the Nullifiers were only adhering to the principles of 1798, see Calhoun to William H. Pendleton, September 8, 1828 (Calhoun Papers, SCL/USC); David R. Williams to Stephen D. Miller, October 19, 1830 (Williams Papers, *ibid.*); Calhoun to Gen. John Clark, July 4, 1831 (Calhoun Papers, *ibid.*); R. Cresswell [Brandon, alias], to G. H. Townes (Greenville, S. C.), October 15, 1831 (Townes Family Papers, *ibid.*); Duff Green to Richard K. Crallé,

September 5 1831-, in "Calhoun as Seen by His Political Friends," 168-169; the *Auraria*, Ga., *Western Herald*, May 14, 21, 1832; the *Athens*, Ga., *Southern Banner*, September 14, 1832; the *Halifax*, N. C., *Ro-an-o-Fe-AdToc@ate@*, February 7, 1833; [---- I Gordon to Robert @-l. Deveaux, May 6, 1833, February 17, 1835 (Singleton-Deveaux Collection, SCL/USC); Calhoun to Charles Kennon and others, July 26, 1833 (Calhoun Papers, *ibid.*); Condé Raguet to Philip Tidyman, September 19, 1833 -(T@i7yman Papers, *ibid.*); the *Augusta*, Ga., *State Rights' Sentinel*, January 16, 1834; the *Augusta*, Ga., *CTronicle*, March 8, 22, April 12, 1834; *ibid.*, July 4, September 177, 1836. See also Laura White ' Robert Barnwell Rhett, 20-21; The Debate in the South Carol7na@Le@al-sla@tur@e -'Uec-ember, Ld J. L. Hunter); 1830, 5-26 -Frem-ark-s-o—E-IVFitenarsh Stabrooi'a Henry St. George Tucker, *Lectures on Constitutional Law* (Richmond, 1843); Abel P.-Tps@hu-r@, @@-Brief Ingi@r @into the True Nature and Character of Our Fe-deral Government: B in Storyis Uommen ---T-Pichmond, is@

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anT C@lec Rearon, 'Nullification in @lississippi," Pubs. of Miss. Hist. Soc., XII (1912), 37-71. For similar views outside the @@o-uth, see the *Roanoke Advocate*, January 31, 1833; and Condé Raguet, "Address upon the Sovereignty of the States to the State Rights Association of Pennsylvania, March 4, 18342" in the *Augusta*, Ga., *State Rights' Sentinel*, April 3, 1834. For historical resear-cF-i-nto the cotxre@ntio@n and the writings of the Founding Fathers, see "Jefferson's Corre- spondence," NAR, XXX (April, 1830), 511-551 (on Thomas Jefferson Ra-n-J-olDhls, Memoir, Correspondence, and ?liscel- lanies, from the'Papers

99 In actuality, the opponents of nullification dis- mi5sed the theory of the Nullifiers outright. V;hile the lack of knowledge about the Convention's proceedings cer- tainly helped the nationalists build an opposing case, more important in the long run was the emerging nationalism of Americans (especially in the North) which served as the basis for their rejection of nullification and hence any restraints on national power. As Benjamin Romaine expressed it, the federal government did not rest on "mere opinion.11 "It is a government in Fact, holdina command, by order of the people. of all tTe energies of Sbupreme Power, over the Union, to inforce [sic] and sustain its undivided integrity." (See Romaine-,----, @tate Sovereignty, and a Certain Dissolution of the Union. To tEe Honorable i-oh-n-C. Calhoun ' ' ' [Ne;@-Yo-rk,-183TI.7 FO-T SI-Milar sentiments, see the reports of anti-nullification meetings in Boston, Baltimore, Philadelphia, and Albany, N. Y. as well as the statements by Andrew Stevenson of Va. and the Governor of Illinois in the *Charlotte*, N. C., @liners' & Farmers' Journal, January 12, 19, 26, February 9, 16P 23, an @@larch 2, 1833. See also William Henry Harrison to Calhoun, November 29, 1831,

Note: the constitutionality of the tariff. Congress, they agreed, had the right to lay and collect duties and taxes (for reve- nue only). What they objected to was not only the unequal, unjust, and oppressive effect of the tariff (especially after 1824), but also to the idea of protection which was not con- stitutional. As they viewed it, protection Tan counter to their republican concept of the public good because it rep- resented special legislation for a favored class. In sum, the tariffs enacted after 1820 had gone beyond the original intent of that legislation and as such had assumed, through loose construction, an unconstitutional nature. In that context, resistance was justified. Otherwise, the govern- ment, under the cover of law, could do what it pleased.

Again, as in the 1790's, it was a matter of constitutional interpretation and whether or not the constitution provided those safeguards against the exercise-of power which history had proved essential to the maintenance of republican liberty. For statements to the effect that the Founding Fathers could not have sanctioned "nullification," see John W. Burgess, *The Civil War and the Constitution, 1859-1865* (2 vols.,

Ne@W Y-o-r-F,- Tg-oi)-anU iucius E. Chitte-n-cFe-n, Report of the De- bates and Proceedings . . . of the Conference Convention. . . held at-lvashington, D. C., in February 1861 (l'@lashington, 1-8b4), 16. See also-the- wT-@-ti-n-g-s— o-T-G-eorge Bancroft, Richard Hi.ldreth, Charles Graham Sumner, and Abraham Lincoln. For a good discussion of the new view of the Union as absolute as well as James Madison's "twistings and turnings" on the subject between 1798 and 1836, see James McClelland, Joseph St(@rv and the American Constitution: A Study in Political an LeTa-I ght (Norman, Okla., 1971). See also Nagel, U-n-ii inflation Indivisible and Major Wilson, Space, Time and Tr-jeTom-. On the anti-in'ullifiers mis-use of histF-ry-, 'their new conception of the Union, and their efforts to render the views of the Nullifiers "as odious a.s possible.,"" see

Calhoun to Samuel D. Ingham, October 30, 1830 (Calhoun Papers, SCL/USC); the *Auraria*, Ga., *Western Herald*, January 4, 1834; the *Augusta*, Ga., *State liahts, SentTnel@. @January 9, 16, February 6, March 17, Septembe- r, ll, 1834, July 10, 1835; the Augusta*, Ga., *Chronicle*, January 18, 1834, January 3, May 23, 1835; the *Charlotte*-, N. C., *Journal*, September 11, 1835; and the *Augusta*, Ga., *Chronicle anU Sentinel*, February 9, 1837. l@hile many of these articles dealt with the history and formation of the Union, they also concerned the chang- ing character of parties and principles, especially the tendency of the Jacksonians to expropriate the states' rights tradition to themselves and to combine it with their own nationalist sentiments.

C., Journal expressed it, “the true theory of our Government was acknowledged in 1798 and 1799.¹¹ (Charlotte, N. C., Journal, July 3, 1835.) Nfore to the point was the statement F—Roanoke Advocate which traced the origins of nullification- not only to 1798 but also to the Ivhic, theory of balanced government. (Roanoke Advocate, December 13, 1832.) See also “Bolingbroke’s Uis@cri@nination between Whig and Tory,” in the Augusta, Ga., Chronicle, @lay 17, 1834. Sig- nificantly, the descendants of many o-f the ‘N’ullifiers (and Southerners in general) were [l@.higs](#) who had fled from Stuart despotism in England. Not only that, many of them had fought in the -Revolution and opposed the Constitution. For similar statements that the Nullifiers were only adhering to the principles of 1798, see Calhoun to William H. Pendle- ton, September 8, 1828 (Calhoun Papers, SCL/USC); David R. Williams to Stephen D. 1%,ille-r, October 19, 1830 (Williams Papers, *ibid.*); Calhoun to Gen. John Clark, July 4, 1831 (Calhoun-Fa-pers, *ibid.*); R. Cresswell [Brandon, @liss.], to G. H. Townes [Green’ville, S. C.], October 15, 1831 (To nes

@W Family Papers, *ibid.*); Duff Green to Richard K. Cralle, September 5, 1831, in “Calhoun as Seen by His Political Friends,” 168-169; the Auraria, Ga. , Western Herald, May 14, 21, 1832; the Athens, Ga., Southern Banner, September 14,

1832; the Halifax, N. C., R-oa-n—o-lFe-AdToc@ate@. February 7, 1833; (--- J Gordon to Robert M. Deveau, May 6, 1833, February 17, 1835 (Singleton-Deveau Collection, SCL/USC); Calhoun to Charles Kennon and others, July 26, 1833 (Calhoun Papers, *ibid.*); Condé Raguet to Philip Tid-vman, September 19, 1833 TT-rLUyman Papers, *ibid.*); the Augus’ta, Ga., State Rights’ Sentinel, January 16, 1834; the Augusta, Ga., Chronicle, March 8, 22, April 12, 1834; *ibid.*, July 4, Se@t-ember 17,

1836. See also Laura White, Tob-ert Barnwell Rhett, 20-21; The Debate in the South Carolina@Le@aislature, December,

- Fre- -s—o-f-IVhitenarsh Seabrook and J. L. Hunter); 1830, 5-26 mark Henry St. George Tucker, Lectures on Constitutional Law u (Richmond, 1843); Abel P. Upshur, T-B to the rief in

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a-n-(F C@leo@ Re-ar-on, “:NTul-liflcTti@on i@n @lississippi,” Pubs. of ?liss. Hist. Soc., XII (1912), 37-71. For similar views- outside the Eo-uth, see the Roanoke Advocate, January 31, 1833; and Condé Raguet, “Address upon the Sovereignty of the States to the State Rights Association of Pennsylvania, March 4, 1834,” in the Augusta, Ga., State Rights’ Sentinel, April 3, IS.’)4. For historical researc i-nto the convention and the writings of the Founding Fathers, see “Jefferson’s Co-rre- spondence,” NAR, XXX (April, 1830), 511-551 (on Thomas Jefferson Ra-n@fo-IDhls, @lemoir, Correspondence, and ?lissel- lanies, from the Paper-s-o-f-Thomas Jelferson [4 v-ols-.,

100 Halifax, N. C., *Roanoke Advocate*, January 10, 1833.

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102 Augusta, Ga., *State Rights’ Sentinel*, July 10, 1834. For similar sentiments, see “!:iberty,” “No Jackson Man,” and “A Constitutionalist of 198,¹¹ in the Charlotte, N. C., Miners’ & Farmers’ Journal, April 26, May 3, 10, 17, 24, 31, Uu-n-f@-7, -f4’, July 5, 12, 19, 26, and August 2, 1834. For the Force Bill and its “neo-Federal” dogmas, see *ibid.*, January 9, 23, 1834; the Augusta, Ga., Chronicle, January 5, 12, 19, February 16, 1833; Condé Raguet to Robert Y. Hayne, June 20, 1834 (Hayne Papers, SCL/USC); Condé Raguet to Philip Tidyman, June 12, 1833 (Tidyman Papers, *ibid.*); and Nathaniel Macon to Samuel Price Carson, February 9, 1833 (in the Charlotte, N. C., Miners’ &-Farmers’ Journal, February 13, 1834). Foy the netat@ive@ re-afti@on @of jackson- ians to the Proclamation of 1832 and the Force Bill of 1833,, see Fitzpatrick, ed., “Autobiography of Martin Van Buren,” 546-548; Archibald Yell to James K. Polk, December 16, 1832, in Weaver and

Bergeron, eds., Correspondence of James:K. Polk, 1, 576-578; and Niles' W Register, December 15, 1832, January 5, 12, 19, 26, 1833 and special Supplement for May, 1833. See also Paul Murray, The Whig Party in Georgia, 1825-1853 (Chapel Hill, 1948) and William S. Hoffman, Andrew Jackson and North Carolina Politics (Chapel Hill, 1955). For the removal of deposits, see Willie P. Mangum, "Speech on the Removal of Deposits, February 25,

"in Shanks, ed., Papers of Willie P. Mangum, V, 562-563, 1834

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585; Calhoun, "Speech on the Removal of the Public Deposits," January 13, 1834, in Crall's, ed., Works, II, 309-343; the Charlotte, N. C., Miners' & Farmers' Journal, October 12, 1833, February 8, March 1, 8, 15, 1834. For American-French relations, see Calhoun's speech of January 6, 1835 in the Richmond, Va., Whig & Public Advertiser, January 13, 1835; and Albert Gallatin to Calhoun, February 14, 1835 (Calhoun Papers, SCL/USC). As he implored Calhoun, "preserve us, entreat you, from an unnecessary and lamentable war." As he noted, "there was not the slightest symptom any where of American feeling for war, before the President's message. And if any can be excited, it will not be for sustaining the honor of the Nation, but under the impression that honor requires that Andrew Jackson should be sustained right or wrong." For anti-Van Buren sentiment in the South, see the Augusta, Ga., States' Rights-Sentinel, June 2, 5, 12, 16, 23, 26, July 7, 10, 21, 24, 27, 31, 1835. For anti-Jackson sentiment in Tennessee, see Weaver and Bergeron, eds., Correspondence of Polk, 111, x-xi and the letters on pages 6-8, 12-14, 17-18, 24-25, 27-28, 33-35, 37-40, 54-55, 59-60, 68-66, 66-68, 70-74, 83-86, 88-89, 129-137, 138-146, 160-162, 182-185, 190-194, 215-218, 235-240, 251-254, 262-266, 303-305, 316-318.

103 Calhoun to G. N. Gordon, April 13, 1835 (Calhoun Papers, SCL/USC). See also Calhoun to Thomas Holland and others, July 2, 1833; to the Committee of Arrangements of the State Rights Party of Scriven County, Ga., June 24, 1833 (both in *ibid.*); Calhoun's "Report on Executive Patronage, February 9, 1835," in *ibid.*; Charlotte, N. C., Miners' & Farmers' Journal, January 9, 16, 22, 29, February 26, March 2, 9, 16, 23, 30, 1835; Richmond, Va., Whig & Public Advertiser, January 16, 1835; Calhoun to Patrick Unkin, March 11, 1835; to a Mecklenburg County, N. C. Committee, ca. April 25, 1835; to David Hoffman and others, November 1, 1835 (all in Calhoun Papers, SCL/USC). For the charge that Jackson and his party had abandoned the original principles upon which they were elected, see the Augusta, Ga., Chronicle, March 9, May 4, 1833, February 22, 1834. In the words of the Chronicle, Jackson was "the deceiver of the people of the South; the traitor to the Republican principles of 1787." See also "A Farmer" and "Who are the Free?"

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105 Calhoun to Samuel D. Ingham, June 21, 1836 (Calhoun Papers, SCL/USC). The reaction to Jackson as well as the progress of the Whig Party can be followed in the press of the day. See the newspapers cited in the above notes for the period 1833-1836. The Whig candidates in the election of 1836 were William Henry Harrison, Hugh Lawson White, Daniel Webster, and Willie P. Mangum. Although Martin Van Buren won the election of 1836, the Whig candidates polled 124 electoral votes. The popular vote was 762,678 to 735,651. See also Calhoun to Littleton W. Tazewell, March 27, 1834; to Francis W. Pickens, April 15, 1834; to James M. Calhoun, May 20, 1834 (all in *ibid.*). "I am rejoiced to hear," wrote Robert Y. Hayne, "that the doctrines of State Rights, the true conservative principles of our System, are gaining ground with you. In this State, they are triumphant." (Hayne to McLeod, August 25, 1835, Hayne Papers, *ibid.*).

106 In general, see White, Robert Barnwell Rhett, Kibler Benjamin F. Perry, and Carter G. Woodson, *The American Government and the Economy, 1783-1861* (Indianapolis, 1967). See Talbot to Calhoun to Samuel D. Ingham, June 21, December 18, 1836

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109 Benjamin F. Porter to Calhoun, July 17, 1848, in Boucher and Brooks, eds., *Correspondence to Calhoun*, 456-457. For similar sentiments, see the letters of F. W. Byrd, David J. McCord, Wilson Lumpkin, Burton Craige, James K. Paulding, W. W. Harlee, Daniel Huger, David Johnson, Joseph W. Lesesne, R. M. T. Hunter, Virgil Maxcy, J. H. Hammond, James Hamilton, Jr., Robert Toombs, C. J. Faulkner, and Percy Walker, in *ibid.*, 184-186, 186-188, 190-191, 237-238, 273-274, 362-363, 366-367, 373-374, 385-387, 395-398, 399-402, 404-410, 426-428, 438-440, 444-447, 450-453. See also Calhoun, *Speech on the Abolition Petitions*, March 9, 1836, 11 in Cralle, ed., *Works*, 11, 465-495; Calhoun to Augustin S. Clayton and Otis E. S., August 5, 1836 (Calhoun Papers, SCL/USC); James Hamilton, Jr. to Calhoun, November 16, 1844 (*ibid.*). For the increase in abolitionist activity and the Southern reaction, see the *Augusta, Ga., Chronicle*, August 29, September 12, 1835, February 6, April 23, June 7, November 15, 1836; and the *Augusta, Ga., Chronicle & Sentinel*, January 10, 12, 27, February 13, December 26, 1836.

110 Chaplain W. Morrison, *Democratic Politics and Sectionalism: The Wilmot Proviso Controversy* (Chapel Hill, 1967), 5-7p 15-17, 21-22, 27-33, 52-53, 60-65, 175, 181, 184, 199. See also the *Congressional Globe*, 29th Cong., 2nd sess., 303-478. In addition to the sources cited in notes 109-110, the issue of slavery expansion can be followed in the *Letters of William Gilmore Simms*, vols. 11-V; *Selections from the Letters and Speeches of James Henry Hammond*; and Everett's letters to Thomas C. Calhoun, Robert C. Winthrop, Abbott Lawrence, P. C. Brooks, Charles Francis Adams, Daniel Webster, Charles Sumner, and Millard Fillmore (and their letters to Everett), 1843-1850 (Edward Everett Papers, MHI, published microfilm, reels 9-13, 23-30).

111 As James Henry Hammond summed it up in 1860, the precise question at stake was: "Have the territorial governments established by Congress, the power to define and

475)-512; and Hammond, "Speech on the Admission of Kansas, March 4, 1858, 11 in *Selections*, 301-322. According to Chaplain W. Morrison, "virtually every Democratic politician recognized the right of the people of a territory to decide the slavery question when they were admitted as a state into the Union." Not only was this commonplace, he notes, but it was also compatible with Calhoun's constitutional argument "to which southern Democrats were firmly committed." (*Democratic Politics*, 87-88.) That Southerners accepted this principle is seen in their actions with respect to Michigan and Oregon. In this connection also, see the comments of James Madison on the Missouri Compromise. Madison denied the power of Congress to attach anti-slavery conditions to the admission of a new state and also questioned the constitutionality of laws excluding slavery from the territories. In Madison's opinion, such restrictions and conditions ran counter to the republican principle of equality, among the states. See Madison to James Monroe, February 10, 1 November 19, 1820 in Hunt, ed., *Writings of Madison*, IX, 21-23, 30-35. As for the opposite and more popular position, that the territorial question was at bottom an economic one predicated on the South's need for new lands to bolster a faltering economy, it should be remembered (1) that few slaves ever migrated to the territories and (2) that slavery was not as moribund as once supposed. In short, the South did not need or want to expand into the territories. As they viewed it (as suggested above), it was a matter of principle. Not only was slavery protected by the Constitution and every state equal under America's republican form of government, but every citizen had the right to use and dispose of his property as he saw fit. If Southerners desired to go into the territories, they should have an equal right to do so along with the non-slaveholder. See also "The Rights of the Slave States," in *SQR*, III (January, 1851), 101-145; Laura White, Robert Barnwell Rhett, 97-157; Merritt, James Henry Hammond, 82-130; Dunbar Rowland, ed., *Jefferson Davis, Constitutionalist*, vols. I-IV (1850-1860); Henry Cleveland, Alexander H. Stephens; Mary Simms Oliphant, ed., *Letters of William Gilmore Simms*, vols. II-IV; Cleo Hearon, "Mississippi and the Compromise of 1850," *Pubs. of the Miss. Hist. Soc.*, 14 (1914), 7-227. Further insight is provided in Johannsen, *Stephen A. Douglas; Nichols, The Disruption of American Democracy*; and Hamilton, *Prologue to Conflict*.

111 In general, see Morrison, *Democratic Politics*; Frederick Blue, *The Free Soilers*; Paul, *Rift in the Democracy*; and Foner, *Free Soil, Free Labor, Free Men*, Bertram Wyatt-Brown, Lewis Tappan, James Brewer Stewart, *Joshua R. Giddings*; Betty Fladeland, Gillespie Birney; and Wilson, *Space, Time, and Freedom*. In addition to these studies, the analysis presented here is based on a reading of the letters and writings of James Gillespie Birney, William Cullen Bryant, Henry Wadsworth Longfellow, Horace Mann, William Lloyd Garrison, and Abraham Lincoln. (See bibliography for titles.) See also Wright, *Lincoln and the Politics of Slave*; Thomas, *Abraham Lincoln*; Florio-Ruane, *Free Men All*; Niven, *Wells*; and Jaffar, *Analysis of the House Divided*.

113 Whether or not secession and civil war could have been prevented are, of course, questions which have been endlessly debated by historians. To some historians (as to Katharine Cumming and her mother), secession and war need not have occurred. To others, the conflict between North and

119 In general, see Foner, *Free Soil, Free Labor, Free Men*; Major L. Wilson, *Space, Time, and Freedom*. Foner's study in fact is a discussion of the new American ideology that emerged during the years 1815-1865 to supplant the older republican ideology with which America began its early national career. On this point, see also Welter, *The Mind of America* and Tocqueville, *Democracy in America*. For the process by which Northern Democrats became Whigs and later Republicans, see in addition to the sources cited in notes 111-112, Foner's study cited above; Blue, *The Free Soilers*; and William G. Shade, *Banks or No Banks*. For the transformation of one individual, see Charles H. Brown, *William Cullen Bryant* (New York, 1971). See also the Edward Everett Letters for the years 1840-1850 MHi, published microfilm, reels 7-13, 20-24, 27-30). Further insight is provided in Ambler, ed., *Correspondence of R. M. T. Hunter*; Phillips, ed., *Correspondence of Toombs, Stephens, and Cobb*; and the following manuscript collections at the SCL/USC: Pickens Family Papers, Francis IV. Pickens Papers, Townes Family Papers, Thompson-Jones Family Papers, William C. Preston Papers, W. N. DeSaussure Papers, Percival Drayton Letters, John Christopher Winsmith Papers, and Preston R. Brooks Papers. Note also the comment by William Garrott Brown that when Virginia "turned to Massachusetts, once her steadfast ally, no Adams or Hancock assured her." (*The Lower South in American History*, 110.) For the Republicans' new view of the Union as absolute, see Nagel, *One Nation Indivisible* and Wilson, *Space, Time, and Freedom*.

On the pervasiveness of Union sentiment the North, see Bell Wiley, *Life of Billy Yank*. For the efforts at compromise in 1860-1861, see Lucius E. Chittenden, *Report of the Debates and Proceedings . . . of the Conference Convention . . . held at Washington, D. C., in February, 1861* (Washington, 1864). Dumond, *The Secession Movement*. For the reluctance of Southerners to secede, see Laura White, Robert Barnwell Rhett; Merritt, James Henry Hammond; Mary E. R. Campbell, *The Attitude of Tennesseans toward the Union, 1847-1861*; Johri T. Fub@bell@, *"T-hree Georgia' Un-io'nists"*; Shry@@c-k, *Georgia and the Union in 1850*; Zuber, Jonathan Worth; Hamilton, ed., *ci5rr-esp',5n-d'iTnc-e of Jonathan I%orth,--a-n-@[the studies of Stephens, Davis, To@@m-b-s,-a-n-J-CoFb-cited above*.

As the *Southern Quarterly Review* stated in 1850: "We have no wish to see the confederacy Dissolved. Bring it back to justice, renew and respect the guarantees of the constitution, give us peace, restore our securities, cease to trespass upon our rights, yield us an equal share of the Union." (*Ibid.*, new series, II [September, 1850], 189.) See also "The Letters and Reminiscences of Katharine H. Cumming, 1860-1865" (Joseph B. Cumming Papers, Augusta, Ga.); Sally Baxter Hampton Papers (SCL/USC); James Hopkins Adams Papers (*ibid.*); Parker Family Papers (*ibid.*); William M. Reid Letters (*ibid.*); John S. Ryan Letters (*ibid.*); Edward H. Edwards Papers (*ibid.*); William W. Boyce Papers (*ibid.*); William King Easley Papers (*ibid.*); Emma Holmes Diary; and Ada Bacot Diary. On the end of the Republic and the triumph of a new, national union, which Lincoln's election signalled, see Alexander H. Stephens to Alexander J. Marshall, November 4, 1864 and Stephens' "Speech before the General Assembly of Georgia, February 22, 1866," both in Cleveland, *Alexander H. Stephens*, 796-797, 804-818. As Stephens noted in 1866, "With this change comes a new order of things. One of the results of the war is a total change in our whole internal polity. Our former social fabric has been entirely

“Virtue in the citizens is the foundation on which a republican government must rest; destroy that foundation, and the fair fabric of freedom must fall.” (Chief Justice Henry Osborne of Georgia)

“The young person who is desirous of knowing all that is mean in vice, and noble in virtue, would keep upon the very same shelf, the Histories of Rome by Livy and Tacitus, and that of the Italian Republic by Machiavel [sic].” (“Surrey”)

My own opinion is, that it is the nature of all delegated power to increase. It has been aptly said to be like the screw in mechanics; it holds all it gains, and [with] every turn it gains a little more.” (Abraham Baldwin)

declare what shall be and what shall not be property within the territorial boundaries?” (“Speech on the Relations of States, May 21, 1860,” in *Selections from the Letters and Speeches of James Henry Hammon*, 358-368. This-Fas@ic ‘go-dthirn posi@Fio-E—was announc—e’U a-s early as 1836 by John C. Calhoun. “The constitution confers on Congress the power to govern the territories; and, of course, to pre- scribe the qualifications of voters within them --- without any restriction --- unless, indeed, such as the ordinance and the constitution may enforce --- a power that expires only when a territory becomes a state.” (“Speech on the Motio . . . to Recommit the Bill to Establish the Northern Boundary of Ohio, and for the Admission of Michigan into the Union, April 2, 1836,” in Cralle, ed., *Works*, II, 497.)

In other words, and in keeping with their states’ rights-republican views, Southerners maintained that only a state and not a territory could legislate for or against slavery. As they viewed it, a territory was not a viable political community and its residents not bona fide citizens possessed or capable of enjoying full political rights. In Hammond’s words, sovereignty did not belong to “adventurers. . .squatting on land” who were nothing but exiles. By this reasoning, he added, settlers going to Nevada, Arizona, or Pike’s Peak could make provisional governments without recognition from the government of the United States. Besides, to impose different conditions upon new states and to discriminate against the original states was a violation of that principle of equality which was guaranteed by the Constitution. As Calhoun explained it in 1837, “ours is a Federal Republic--- a Union of the States. . . .To admit Michigan on the authority of a self-created meeting, or one called by the direct authority of Congress, passing by the authorities of the State, would be the most monstrous proceedings under our constitution” and “most repugnant to its principles, and dangerous in ‘its consequences. It would establish a direct relation between the individual citizens of a State and the General Government, in utter subversion of the federal character of our system.” “I hold it to be a fundamental principle,” he added in 1847, “. . .that the people have a right to establish what government they may think proper for themselves.” Not only that, “the whole system is based on justice and wisdom---perfect equality between the members of this republic.” (Calhoun, “Speech on the Bill for the Admission of Michigan, January 2, 1837” and “Speech on Presenting His Resolutions on the Slave Question, February 19, 1847,” in Cralle, ed., *Works*, II, 586-596, IV, 339-449.) See also Calhoun’s “Speech at a Meeting of Citizens of Charleston, March 9, 1847,” “Speech on the Oregon Bill, June 27, 1848, 11 in *ibid.*, IV, 382-396,

subverted.” As the *Daily Missouri Republican* expressed it: “The Republican party at the North have found the long-sought opportunity of waging a war upon the South and its institutions. Filled with the idea that the Federal Government is a consolidated Republic. .

. the Northern geographical party is about to send down its hordes of armed men upon the seceding States of the South.” (Dumond, ed., *Southern Editorials on Secession*, 500-502.) For similar examples, see *ibid.*, 1-61-162, 162F-167, 223-225, 228- 231, 247-248, 272--2-74-, 274-276, 370-371. See also notes 79-84 of the Introduction.

Notes/Central Theme of Southern History

The quotes on the preceding pages are from the Augusta, Ga., *State Gazette and Independent Register*, June 2, 1787; the Augusta, Ga., *Chronicle*, November 12, 1821; the Augusta, Ga., *State Rights Sentinel*, June 2, 1835;

John Winsmith, “Address before [the] Citizens of Spartanburgh & Union Districts on the 4th July, 1843” (Winsmith Papers, SCL/USC); Alvy L. King, *Louis T. Wigfall*, 126; the *Richmond Examiner*, September 17, 1863; Calhoun, “Speech at Edgefield Court House, S. C., June 1, 1825,” in *The Papers of John C. Calhoun*, X, 26; and Robert Toombs to Alexander H. Stephens, November, 14, 1865, in Phillips, ed., *Correspondence of Toombs, Stephens, Cobb*, 688-690.

1 Slavery and race as the central themes of Southern history were deliberate distortions about the region before the Civil War by mostly Northern writers influenced by Germanic Romanticism imported straight from abroad by Harvard students studying in German universities (one of whom was none other than George Bancroft). From Harvard, Romanticism begot Unitarianism (a more benevolent view of human nature and an alternative religion to Calvinism), abolitionism (as opposed to anti-slavery) and then perfectionism and then nationalism (to make the states united). These and other newer 19th century “isms” (individualism, majoritarianism or democracy, socialism, communism, utopianism, etc.) were what Southerners believed threatened the republic of America! In effect, the sectional conflict of the early national and antebellum eras was about more than a North versus a South and a contest between freedom and slavery. It was, in effect, a conflict between two different Americas, one born in the 18th century and represented by the South (and the Democratic North) and the other, born of 19th century forces and developments, ultimately symbolized by Abraham Lincoln and the later Republican Party. It was indeed the North that changed and not the South. Not only are the origins of the Civil War to be found above rather than below the Mason-Dixon line, but historical myth-making by the North (not the South) was one of the crucial developments by which the latter was justified. Besides reinterpreting the past to make the founders (1776) and framers (1787) more democratic, nationalistic, and abolitionist than they were, Northern writers, politicians, and historians also invented the myths of an aristocratic South and then that of the South as a Slave Power to make the North (Lincoln and the Republican Party) the true heirs of 1776 and 1787. After 1865, and the final defeat of the Confederacy, the myths of democracy (i.e., America was born liberal, egalitarian, democratic, and abolitionist) and a reactionary South (i.e., that region turned its back on the liberal principles of the founding) became the accepted version of American and Southern history.

For a concise statement of the larger conflict of ideas or “isms” between North and South, see James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York, 1988), 860-861. See also John Higham, *From*

Boundlessness to Consolidation: The Transformation of American Culture, 1815-1848 (Ann Arbor, 1969); Anne Norton, *Alternative Americas: A Reading of Antebellum Culture* (Chicago, 1986); Michael Kammen, *Mystic Chords of Memory: The Transformation of Tradition in American Culture* (New York, 1991, 1993); Mark Noll, *America's God: From Jonathan Edwards to Abraham Lincoln* (New York, 2002); Barbara L. Packer, *The Transcendentalists* (Athens, Ga., 2007); Susan Jacoby, *Freethinkers: A History of American Secularism* (New York, 2004); Daniel Walker Howe, *What Hath God Wrought? The Transformation of America, 1815-1848* (New York, 2007); Philip G. Gura, *American Transcendentalism: A History* (New York, 2007); and Morton Keller, *America's Three Regimes* (New York, 2007). On the invention of a slave not a republican South, see most recently Susan-Mary Grant, *North Over South: Northern Nationalism and American Identity in the Antebellum Era* (Lawrence, Kansas, 2000). See also Michael A. Morrison, *Slavery and the American West: The Eclipse of Manifest Destiny and the Coming of the Civil War* (Chapel Hill, 1997) and Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York, 1970). On the important issues of the Declaration of Independence, the Constitution, the nature of the union, and their changing meanings over the course of the early 19th century (along with the meaning of liberty), see Pauline A. Maier, *American Scripture: Making the Declaration of Independence* (New York, 1997); Eric Foner, *The Story of American Freedom* (New York and London, 1998); David Hackett Fischer, *Liberty and Freedom: A Visual History of America's Founding Ideas* (New York, 2004) and *Paul Revere's Ride* (New York, 1994); Michael Kammen, *Sovereignty and Liberty: Constitutional Discourse in American Culture* (Madison, 1988); Kammen, *A Maching That Would Go By Itself: The Constitution in American Culture* (New York, 1986); Kammen, *A Season of Youth: The American Revolution and the Historical Imagination* (New York, 1978). That Lincoln and the Republican Party were not preserving the union but making it anew entirely is the thesis of this author. See also George P. Fletcher, *Our Secret Constitution: How Lincoln Redefined American Democracy* (New York, 2001); Garry Wills, *Lincoln at Gettysburg: The Words That Remade America* (New York, London, and other cities, 1992); Heather Cox Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901* (Cambridge, Mass., 2001); and Heather Cox Richardson, *West From Appomattox: The Reconstruction of America after the Civil War* (New Haven and London: Yale University Press, 2007). On Northern myth-making before and after the Civil War, see the following articles by the author: See Wood, "The Central Theme of Southern History: Republicanism Not Slavery, Race, or Romanticism," *Continuity: A Journal of History*, 9 (Fall 1984), 33-71; "In Defense of the Republic: John C. Calhoun and State Interposition in South Carolina, 1776-1833," *Southern Studies*, New Series, X (Spring/Summer 2003), 9-48; "Alexis de Tocqueville and the Myth of Democracy in America," *Southern Studies*, New Series, V (Fall 1994), 1-18 (published in 1998); "What Happened to Republicanism, I?: George Bancroft, the Myth of Democracy, and the Lost Causes of 1776, 1787, and 1861," in *ibid.*, IX (Spring 1998), 37-69 (published in 2001); "Before Republicanism: Frank L. Owsley and the Search for Southern Identity, 1865-1965" *Southern Studies*, New series, VI (Winter 1995), 65-78 (published in 1999); "The Misinterpretation of Frank L. Owsley: Thomas J. Pressly and the Myth of a Neo-Confederate Revival, 1930-1962," *ibid.*, X (Fall/Winter 2003), 39-68; "U. B. Phillips, the New South, and the Antebellum Past," *Southern Studies*, XXII (Fall 1983), 216-243 (also reprinted in John David Smith and John C. Inscoe, eds., *Ulrich Bonnell Phillips: A Southern Historian and His Critics* (New York, Westport, Connecticut and London, 1990), 57-78). See also "Republicanism, the South, and the Civil War: An Old-Fashioned View" (paper presented at the 1998 meeting of the Missouri Valley History Conference); and "A New History for a New Nation: Northern Historical Revisionism and the Path to Civil War, 1815-1865" (paper in progress) and "Beyond Myths (Madisonian, Federal, Liberal, and Nationalist: The Constitutionality of Nullification and What the Framers Really Intended, 1787-1800," *The Early American Review*, V (Winter-Spring 2004), 1-18 (an on-line, electronic journal). Besides volumes one and two of *Nullification, A Constitutional History, 1776-1833* (Lanham, Maryland, 2008, 2009), the author plans a volume about the Northern Origins of the Civil War ("Republicanism, the Untold History of an Idea: Essays in the Reconstruction of American and Southern History (and the Not So Lost Cause of the South), 1776-1865."

2 Witness, for example, the dominance of the classics in antebellum Southern schools and colleges; the "Greek Revival" in architecture; the emphasis upon oratory; the political orientation of much of Southern literature as well as its tendency to celebrate the past; and the reverence with which Southerners remembered the Revolution. See also the notes following which discuss some of these points at greater length.

3 Calhoun, *A Disquisition on Government and Selections from the Discourse*, ed. by C. Gordon Post (Indianapolis, 1953), 42. This was the most available edition before Meriwether, Hemphill, and Wilson, eds., *The Papers of John C. Calhoun* (25 volumes, Columbia, S. C., 1959-2003); Ross M. Lence, ed., *Union and Liberty: The Political Philosophy of John C. Calhoun* (Indianapolis, 1992); and H. Lee Cheek, ed., *John C. Calhoun: Selected Writings and Speeches* (Washington, D. C., 2003). See also Alfred Taylor Bledsoe, *An Essay Upon Slavery and Freedom* (Philadelphia, 1856), 40-41 (book in the collections of the Levi Watkins Library and Learning Center, Alabama State University); and Alexander H. Stephens, "Address Before the Prize Declaimers of the Sophomore Class at the Commencement of the State University, August, 1859," in Cleveland, *Alexander H. Stephens*, 651-656.

4 Calhoun, "Speech on Repeal of the Direct Tax, January 31, 1816, in Crallé, ed. *Works*, IV, 146-147; *SQR*, new series, IX (April 1854), 486.

5 "Report at a Meeting of the State Rights and Free Trade Party of Barnewell District, S. C., July 7, 1834," in *Selections from the Letters and Speeches of James Henry Hammond* (New York, 1866; Columbia, S. C., 1978), 10;

Calhoun, *A Disquisition on Government*, ed. by Post, 7; *SQR*, 9 (April 1854), 490-491. See also Bledsoe, *Liberty and Slavery*, 29-32.

6 Augusta, Ga., *State Rights' Sentinel*, June 2, 1835; Meriwether, Hemphill, and Wilson, eds., *Papers of John C. Calhoun*, X, xiv-xv; "Amphictyon," in Gunther, ed., *John Marshall*, 58. The quote by Baldwin was used by A. B. Longstreet as the motto for his *State Rights' Sentinel*.

7. "Political Philosophy of South Carolina," *SQR*, 7 (January, 1853), 124-125; Bledsoe, *Liberty and Slavery*, 40-41.

8. Calhoun, *A Disquisition on Government*, ed. by Post, 7. "If not prevented by some controlling power," Calhoun wrote, the conflict between individuals must in consequence end "in a state of universal discord and confusion destructive of the social state and the ends for which it is ordained." "This controlling power, whether vested or by whomsoever exercised, is Government." (Ibid., 5.) See also Calhoun's remarks in Crallé, ed., *Works*, VI, 135. For Americans' and Southerners' insistence on a written constitution as a bulwark against tyranny, see "A Disinterested Georgian," in the Augusta, Ga., *Chronicle and Gazette*, May 2, 1795; "Judge Walton's Charge to the Grand Jury of Hancock County, Georgia," in *ibid.*, July 4, 1795; John Cocke's "Fourth of July Oration," *ibid.*, July 18, 1795; "A Citizen," *ibid.*, February 27, 1796; "The Constitution," in *New Orleans Bee*, August 26, 1833; and the "Political Philosophy of South Carolina," *SQR*, 7 (January 1853), 12-140. For an interesting example of the Southern penchant for literalness and for maintaining the integrity of public documents, see Calhoun's "Speech about Public Records, March 25, 1836," *Register of Debates*, 24th Congress, 1st session, 970-977 (copy in Calhoun Papers). On nullification and secession as a right of revolution, see *SQR*, 9 (January 1853), 120-140; Laura White, *Robert Barwell Rhett*, 42. In Rhett's words, "the veto power, like the flaming sword in the garden of Eden, stands all around, at every avenue of approach, to guard the constitution." (Ibid., 52.)

9 "Political Philosophy of South Carolina," *SQR*, 7 (January 1853), 122-123; the "South Carolina Exposition" of 1828 in *Papers of John C. Calhoun*, X, 490. Significantly, the *SQR* referred to Algernon Sidney as one of the key sources in influencing the political philosophy of South Carolina. As it noted, Sidney was one of the popularizers of "the supremacy of law." To Sidney, "the public peace may be hereby disturbed; but there can be no peace where there is no justice; nor any justice, if the government instituted for the good of a nation, be turned to its ruin." As Sidney also stated, "we say in general, he that institutes may also abrogate---cujus est instituere, ejus est abrogare." "Such is the school of politics in which Carolina is reared. An equal devotion to written constitutions and strict constructions." (Ibid., 134, 139, 140.) In this connection, see also Calhoun's discussion of the Roman, Polish, and British constitutions to illustrate the idea of balanced government and its success in combating tyranny both from above (on the part of the ruler) and from below (on the part of the people). As noted in volume one of *Nullification, A Constitutional History, 1776-1833* (Lanham, Maryland, 2008), mixed or balanced government was one of the key elements in the political thought of the classical republicans and radical Whigs as well as the Founding Fathers who were heavily influenced by the writings of these liberty-loving Englishmen. And as Calhoun correctly observed, the American government established in 1787 incorporated and was grounded upon this Whig principle of balanced and limited government. See Calhoun, *A Disquisition on Government and A Discourse on the Constitution*, ed. by Post, 54-56, 70-81, 84-85. Not surprisingly, Calhoun's first speech in Congress on December 5, 1811, concerned the division of powers in America's republican government and the need to keep those powers separate. (*Papers of Calhoun*, I, 71-74.)

10 As E. Dawkins Rogers stated in 1861, "If there be an object of the past to excite the admiration & wonder of succeeding generations that object is the sight of the ancient ruins of Rome & Greece." See his Valedictory Address, "Ancient Ruins of Rome and Greece," January ?, 1861, in "Valedictory and Inaugural Addresses of the Clariosophic Society of USC, 1858-1874" (SCL/USC).

11 *SQR*, new series, 9 (April 1854), 519; Judge Grimké's "Charge to the Grand Jury of Charleston, October session, 1789," in the *Pennsylvania Packet and Daily Advertiser*, December 15, 1789 (MP in Grimké Papers, SCL/USC); Winsmith, "Address." See also Calhoun's remarks in Crallé, ed., *Works*, II, 147; "Review of the Past" by "A Republican," in the Augusta, Ga., *Chronicle & Sentinel*, March, 71837; "A Parallel—Ancient Tyranny and Modern Tyranny," in *ibid.*, July 17, 1837; and James Henry Hammond, "Thoughts and Recollections, 1852-1853" (Hammond Papers, SCL/USC).

12 Calhoun, "Speech on Bill for Encouraging Enlistments, January 17, 1814," in Crallé, ed., *Works*, II, 56-69. See also his "Speech on Executive Patronage, February 13, 1835," in *ibid.*, II, 446-465.

13 Augusta, Ga., *State Gazette and Independent Register*, June 2, 1787; Alexander H. Stephens to J. Henly Smith, January 22, 1860, in Phillips, ed., *Correspondence of Toombs, Stephens, and Cobb*, 457-458; George Fitzhugh, *Cannibals All*, 77.

14 Francis W. Pickens to Miss Maria Simkins, September 15, 1833 (Pickens Family Papers, SCL/USC); newspaper clipping from the Columbia, S.C., *Times* of Dr. J. H. Thornrwell's "Baccalaureate Address at South

Carolina College, January 26, 1856," (John Christopher Winsmith Papers, *ibid.*). "Do not forget my dear brother, to keep it habitually & always in mind that the foundation of all your present and prospective happiness as well as [your] usefulness & standing in society will depend on the steady maintenance of a deportment regulated by the principles of honor, of virtue, truth—in a word, sound morality. Never, never, be seduced by allurements that the world can give to swerve from duty a good man. History and experience will teach you that goodness. . . is the only foundation of happiness and a good and a great name." (Samuel Townes to William Augustus Townes, November 29, 1842, Townes Family Papers, *ibid.*).

15 Quoted in the Augusta, Ga., *Chronicle and Gazette*, March 21, 1795.

16 Quoted in *ibid.*, October 28, 1796.

17 "Augusta City Council Minutes" October 2, 1852, November 5, 1853, October 5, 1860; Augusta, Ga., *Chronicle*, May 15, 1802; Augusta, Ga., *Gazette and Independent Register*, March 17, 1787. For other examples of Augustans' concerns about crime and vice and the need for virtue, see "Minutes of the Superior Court of Richmond County," June 21, 1817, June 6, 1822, June 9, 1831, January 7, 14, 1832, June 12, 1832, and January 17, 1846. See also the presentments of the Grand Jury of Richmond County in the Augusta, Ga., *Gazette and Independent Register*, October 28, 1786; June 2, June 23, November 3, 1787; April 12, 26, 1788; and April 4, 1789; the Augusta Ga., *Chronicle and Gazette*, May 8, August 21, 1790; October 22, 1791; September 9, October 21, 1797; and the Augusta, Ga., *Chronicle and Georgia Gazette*, June 20, 23, 1819. See also *ibid.*, January 21, 1822; the Augusta, Ga., *Chronicle and Advertiser*, January 10, May 5, 1824; February 9, April 16, 20, 30, 1825. On temperance, see the reports of temperance societies in Georgia in the Augusta, Ga., *States Rights' Sentinel*, June 9, July 10, 1835; and Dr. Edward A. Eve's, "Oration before the Temperance Society of Richmond County, December 11, 1836" in the Augusta, Ga., *Chronicle*, January 3, 1837.

18 While historians such as Clement Eaton, Kenneth Stampp, Fredric Bancroft, and Michael Hindus have had much to say about the injustices of the antebellum Southern legal system, especially toward free blacks and slaves, they usually attribute its harshness to the existence of slavery itself. As they argue, slavery necessarily depended upon force. Not only that, it also encouraged disrespect for persons and property. As suggested here, however, it was Southerners' concern for the health of the state and the need for virtue (inherited from republican ideology) that caused them to pass so many laws regulating conduct and to impose stiff penalties for crimes against persons and property. See Judge Stephens' "Charge to the Grand Jury of Oglethorpe County, September term, 1797," in the Augusta, Ga., *Chronicle and Gazette*, October 28, 1797. As he stated, government is instituted "for their [the people's] security and happiness." Its whole object was "the public good." "I need not urge to you," he added, "how necessary it is for all your citizens to support the laws, establish good order, and uphold the weak from the oppressor." "By enforcing the laws, countenancing religion, checking all immoral and disorderly behaviour, watching the manners and attending the education of youth," he told the Grand Jury of Greene County, "you will presently lay. . . a foundation for happiness." (*Ibid.*, October 21, 1797.) In the words of the Grand Jury of Richmond County, "protection of persons and property is the essence of good government." ("Minutes of the Superior Court of Richmond County, Georgia," June 21, 1817.) See also Judge John F. Grimké's "Charge to the Grand Jury of Charleston, October session, 1789." As he stated, "our next care. . . will be to watch the motions of our internal enemies, to anticipate their various intrigues, and to disappoint their secret combinations" (MP from the Pennsylvania Packet, December 15, 1789, in Grimké Papers, SCL/USC.) On the threat to society by persons without property, see "the act to prevent paupers from being introduced into the city," Augusta City Council Minutes," November 5, 1853. For similar statements from the Revolutionary period, see the arguments by John Adams and Robert Treat Paine in the Boston Massacre trials in L. Kinvin Wroth and Hiller B. Zobel, eds., *Legal Papers of John Adams* (3 vols., Cambridge, Mass., 1965), III, 91-93, 249-250. It should be noted that while laws in the South were harsh, the legal process was nevertheless fair. It was not as if all criminals and disorderly persons were summarily rounded-up and thrown into jail. There was due process and respect for the rights of the accused, white and black. This respect for procedural rights also helps explain that while crime was deplored in general, many crimes went unpunished. In the words of Robert Treat Paine, "Justice, strict Justice is the Ultimate Object of our Law." Or, as that great republican theorist Algernon Sidney expressed it: "The law. . . no passion can disturb. 'Tis void of desire and fear, lust and anger. 'Tis . . . written reason. . . . It does not enjoin that which pleases a weak, frail man, but without any regard to persons, commands that which is good, and punishes evil in all, whether rich, or poor, high or low." See Robert Treat Paine's argument for the Crown and John Adams' argument for the defense in *Rex v. Wemms*, 3-5, December, 1770, in Wroth and Zobel, eds., *Legal Papers of John Adams*, III, 242-243. For similar statements by English jurists, see *ibid.*, III, 242-243. According to the Grand Jury of Richmond County, "justice promptly and cheaply administered is one of the blessings of Republics." (Minutes of the Superior Court," June 21, 1817.) Acting on this belief, the Superior Court of Richmond County dismissed all the cases brought before it for the January and June terms for 1816 because the sheriff was not legally qualified to serve writs. (See *ibid.*, June 4, 1816.) In this connection, see Daniel J. Flanagan, "Criminal Procedure in Slave Trials in the Antebellum South," *JSH*, 40 (November 1974), 537-564; and Eugene D. Genovese, *Roll, Jordan, Roll*, 32-43. On the low acquittal rate in southern courts, see Clement Eaton, *Growth of Southern Civilization*, 277; and Jack Kenny Williams, *Vogues in Villainy: Crime and Retribution in Ante-Bellum South Carolina* (Columbia, S.C., 1959). As Williams makes clear, punishment was harsh for blacks as well as whites. On slave justice, see E. Merton Coulter, "Four Slave Trials in

Elbert County, Georgia “*GHQ*, XLI (September, 1957), 237-246; and John C. Edwards, “Slave Justice in Four Middle Georgia Counties,” *ibid.*, 57 (Summer, 1973), 265-273. See also the cases in the “Slave Trial Record, 1836-1842,” (Ms. vol. bound, City- County Annex Building, Richmond County, County Courthouse, Augusta, Ga.); the trial of two slaves owned by George McDuffie as reported in H. H. Townes to William A. Townes, March 5, 1846 (Townes Family Papers, SCL/USC); and Joseph B. Cumming’s defense of a slave accused of shooting his mistress as reported by Julia A. Cumming to Emily C. Hammond, July 2, 6, 1860 (Hammond-Bryan-Cumming Families Papers, SCL/USC). As Jefferson Davis commented, the slave in the South was “still a person, protected by all the laws which punish crimes in other persons.” (*Cong. Globe*, 36 Cong., 1st sess., 910-917.) On the kind treatment accorded to slaves, see the William Moultrie Papers (diary entry, 1831) in SCL/USC; John Ewing Bonneau to Calhoun, March 13, 1828, in *The Papers of John C. Calhoun*, X, 360; Hammond, “Speech on Abolition Petitions, 1836,” in *Selections from the Letters and Speeches of James Henry Hammond*, 32; Hammond to Thomas Clarkson, January 28, March 24, 1845, in *ibid.*, 114-199; Harry Hammond to James Henry Hammond, June 29-30, 1859 (Hammond-Bryan-Cumming Families Papers, SCL/USC); and “Treatment of Slaves in the Southern States,” *SQR*, new series, 5 (January 1852), 209-220.

This debate continues, pro and con. For the latter, See Mark Tushnet, *Slave Law in the American South: State v. Mann in History and Literature* (Lawrence, Kansas, 2003; Tushnet, *The American Law of Slavery, 1810-1860: Considerations of Humanity and Interest* (Princeton, 1981); Philip J. Schwarz, *Twice Condemned: Slaves and the Criminal Laws of Virginia, 1760-1865* (Baton Rouge, 1988); Schwarz, *Slave Laws in Virginia* (Athens, Ga., 1996); Thomas D. Morris, *Southern Slavery and the Law, 1619-1860* (Chapel Hill, 1996); Andrew Fede, *People Without Rights: An Interpretation of the Fundamentals of the Law of Slavery in the U. S. South* (New York, 1992); Paul Finkelman, *Slavery & the Law* (Madison, 1997); Michael S. Hindus, *Prison and Plantation: Crime, Justice, and Authority in Massachusetts and South Carolina, 1767-1878* (Chapel Hill, 1980); On the other side, see Judith K. Schafer, *Slavery, the Civil Law, and the Supreme Court of Louisiana* (Baton Rouge, 1994); Alan Watson, *Slave Law in the Americas* (Athens, Ga., 1989); William A. Wiethoff, *A Peculiar Humanism: The Judicial Advocacy of Slavery in High Courts of the Old South, 1820-1850* (Athens, Ga., 1996); and Arthur Howington F., *What Sayeth the Law: The Treatment of Slaves and Free Blacks in the State and Local Courts of Tennessee* (New York, 1986);

19 *SQR*, new series, 9 (April, 1854), 487; William Blanding Diary, entry for November 15, 1820 (SCL/USC).

20 John Randolph to Dr. Theodore B. Dudley, December 30, 1821, in Lemuel Sawyer, *A Biography of John Randolph*, 118-119. See also the Augusta, Ga., *Daily Constitutionalist*, October 5, 1835; “California Gold and turopean Revolution,” in the *SQR*, new series, 1 (July, 1850), 278-296; Joseph B. “Speech Cumming, Address delivered before the Denosthian and Phi Kappa Societies of the University of Georgia, August 4, 1859 (Augusta, Ga., 1859), 5-25 (copy in Joseph B. Cumming Papers, Augusta, Georgia). See also “Debt and Credit,” in the Charlotte, N. C., *Miners’ and Farmers’ Journal*, April 16, 1835; and “Producers and Non-Producers,” July 17, 1835.

21 John Ewing Colhoun, “Commonplace Book, 1836-1837” (Colhoun Papers, SCL/USC). See also “Stockiobbing,” in the Augusta, Ga., *Daily Constitutionalist*, February 23, 1836. As it noted, “the Mississippi Scheme and the South Sea Bubble appeared in 1720. Experience of the past should be a wise teacher to us in 1836.”

22 William Gilmore Simms to James Lawson, December 29, 1839, in Oliphant, et al, eds., *Letters of William Gilmore Simms*, I, 159-167; Ha-mFo-nd, “Message to the Senate and House of Representatives of . . . South Carolina, November 28, 1843,” in *Selections from the Letters and Speeches of Hammond*, 63; Simms to Hammond, December 25, 1846, in Oliphant, et al, eds., *Letters of William Gilmore Simms*, II, 242-248.

23 In general, see Fitzhugh, *Cannibals All!* As Simms expressed it, a sober attention to the soil, is worth all the commercial Bank & Rail Road conventions in the World.” (Simms to Hammond, February 6, 1840, in Oliphant, et al, eds., *Letters of William Gilmore Simms*, I, 168.) See also Hugh Swinton Legaré, “Diary of Brussels,” entry for August 29, 1833 in Mary S. Legaré, ed., *Writings of Hugh Swinton Legaré*, I, 81; and “The Mobocracy,” in the Augusta., Ga., *Chronicle*, April 11, 1835. In the words of the Augusta, Ga., *Chronicle and Sentinel*, “the people of the South are peculiarly an agricultural, a producing people We do not desire to see the South a great manufacturing country, because we regard great manufacturing towns as great sores on the body politic.” (*Ibid.*, November 27, 1860.) See also “The National Anniversary,” in the *SQR*, new series, 2 (September, 1850), 176; “The Character of a Complete Farmer” and “The Cause of Farmers” in the Charlotte, N. C., *Miners’ and Farmers’ Journal*, June 22, July 6, 1833.

24 “Kennedy’s Swallow Barn,” in the *SQR*, new series, 5 (January, 1852), 74. See also the Halifax, N. C., *Roanoke Advocate*, March 4, 1830.

25 Robert S. Starobin, *Industrial Slavery in the Old South* (New York, 1970), 10-11.

26 Starobin, *Industrial Slavery*, 11-12, 14, 18, 33, 116-117.

27 Starobin, *Industrial Slavery*, vii-viii, 179. As Starobin also notes, nor did industrialization make the South more like the North. Unlike the North, the South did not experience major urban development as their Northern counterparts. Compare, for example, the growth of Charleston, Savannah, Richmond, Memphis, Mobile, Louisville, or New Orleans with that of Chicago, Pittsburgh, or Cincinnati. Moreover, Southern cities were different in character from those of the industrial North. More commercial and residential in nature, "they harbored the port facilities essential to the cotton and sugar trade, and served the commercial, financial, and social needs of the plantation." (Ibid., 8.) See also U. B. Phillips, "Town Slaves," in *American Negro Slavery*, 402-424; Fletcher M. Green, "Duff Green, Industrial Promoter," *JSH*, 2 (February 1936), 29-42; Morton Rothstein, "The Antebellum South as a Dual Economy," *Ag. Hist.*, 41 (October 1967), 373-382; and Claudia Dale Goldin, *Urban Slavery in the American South, 1820-1860: A Quantitative History* (Chicago, 1976). All of these studies take exception to the view popularized by Richard C. Wade, that slavery was not compatible with urban society. For Wade's views, see *Slavery in the Cities* (Chicago, 1963). For examples of slave-owning industrialists, see the Richard A. Springs Papers (SCL/USC) and the Simpson Bobo Papers (ibid.). For the argument that industrialization represented a distinct threat to slavery, see Eugene D. Genovese, *The Political Economy of Slavery* (New York, 1965).

28 Avery Craven, *The Coming of the Civil War* (Chicago, 1942, 1957), 90-91; Alvy King, *Louis T. Wigfall*, 125. See also Norris Preyer, "Why Did Industrialization Lag in the Old South?," *GHQ*, 55 (Fall 1971), 378-396. For the assumption that the South wanted to industrialize but could not because of slavery, see Genovese, *The Political Economy of Slavery* and U. B. Phillips, *American Negro Slavery*. Phillips makes the same point in *A History of Transportation in the Eastern Cotton Belt to 1860* (New York, 1908). For other evidence that the South could have industrialized had it chose to do so, see "Iron in Virginia," in the Baltimore, Md., *American and Commercial Daily Advertiser*, July 16, 1835. As that article asked, "Why cannot iron be manufactured at home. . . ?" As matters stood, iron ore and coal from Virginia were carried to New York where it was manufactured into iron. This "course of trade [was] suffered to exist because Southern capitalists [would] not adventure out of the beaten track."

29 James Henry Hammond to Thomas Clarkson, January 28, 1845, in *Selections from the Letters and Speeches of James Henry Hammond*, 127; Dunbar Rowland, ed., *Jefferson Davis: Constitutionalist*, IV, 49-50; and Chancellor William Harper, *Memoir on Slavery* (Charleston 1838), quoted in William Sumner Jenkins, *Proslavery Thought in the Old South*, 196-197. The quote by Rhett is also from ibid., 197. See also Edward Brown, *Notes on Slavery*, 5-9; John E. Colhoun, "Commonplace Book, 1836-1837; and "Slavery and Freedom," in *SQR*, I (April 1850), 62-95.

30 Jenkins, *Proslavery Thought in the Old South*, 197-198; Hammond, "Speech on Kansas, March 4, 1858," in *Selections from the Letters and Speeches of Hammond*, 318-319; "Slavery and Freedom," *SQR*, new series, 1 (April 1850), 87.

31 Jenkins, *Proslavery Thought*, 193. See also ibid., 293-295.

32 *SQR*, new series, 2 (September 1850), 27. See also ibid., 2 (November, 1850), 357-374.

33 "Slavery and Freedom," in ibid., new, new ser., 1 (April 1856), 64-65; "Is Southern Civilization Worth Preserving?," ibid., new series, 3 (January 1851), 225.

34 Cooper, "Slavery," *SLJ*, I (1835), quoted in Jenkins, *Proslavery Thought in the Old South*, 125; Hammond, "Untitled Thoughts, 1852-1853" (Hammond Papers, SCL/USC). See also the excerpt from James Kirke Paulding's *Westward Ho!* in the Raleigh, N. C., *Constitutionalist and People's Advocate*, November 14, 1832 reporting a conversation between a Mr. Barham and a Col. Dangerfield on the subject of equality. Barham made the point that although people in America were called equal they were not in fact. As he also noted, that "sense of equality, and its attendant wants" produced violent social eruptions. In a word, democracy was revolutionary! For excellent analyses of liberty and equality as it was understood by the Revolutionary generation and by Southerners, see Edmund S. Morgan, "Slavery and Freedom, The American Paradox" and Greene, *All Men are Created Equal*. For the changing meanings of these terms in the Middle Period (to mean absolute equality and freedom) see, among other sources, "The People," in the *SQR*, 9 (January 1854), 32-57; "The National Anniversary," in ibid., 2 (September, 1850), 170-191; and "Recent Social Theories," in ibid., new ser., 2 (January 1855), 253-267. See also Joseph Blau, *Social Theories of Jacksonian Democracy*. For the more limited meaning of liberty in 1776-1787 at the American founding, see Pauline Maier, *American Scripture: Making the Declaration of Independence*; Foner, *The Story of American Freedom*; and David Hackett Fischer, *Liberty and Freedom* cited in note #1 above. In effect, the South was right historically and constitutionally.

35 Hammond, "Speech on Kansas, March 4, 1858," in *Selections*, 318-319; Jenkins, *Proslavery Thought in the Old South*, 125; Bledsoe, *Liberty and Slavery*, 107, 128-129. For similar sentiments, see Eric McKittrick, ed., *Slavery Defended: The Views of the Old South* (Englewood Cliffs, N. J., 1963). Compare these sentiments with those of the republican theorists in volume one of *Nullification, A Constitutional History, 1776-1833: James Madison Not the Father of the Constitution: Other Framers, Different Intentions, and the Origins of Nullification, 1776-1787*. See the Appendix for a definition of republicanism and many contemporary quotes defining the limited nature of freedom and equality.

36 Quoted in Cleveland, *Alexander H. Stephens*, 556-557. See also ibid., 127. In the words of that great republican theorist, John Milton: "Orders and degrees' jar not with liberty, but well consist." (Quoted in Jack P.

Greene, *All Men are Created Equal*, 31.) See also Joel Hurstfield, *Freedom, Corruption, and Government in Elizabethan England* (London, 1973).

37 "The People," in *SQR*, new series, 9 (January 1854), 34-35. See also *ibid.*, new series, 2 (September-November 1850), 24-65, 357-374; Laura White, *Robert Barnwell Rhett*, 49-50; and Jenkins, *Proslavery Thought in the Old South*, 295-301.

38 Paulding, *Letters from the South*, 1, 96-98; Bledsoe, *Liberty and Slavery*, 41. See also Edward Spann Hammond Diary, September 16, 1856 (SCL/USC). What really concerned Southerners about abolition in fact were the social evils that would result from freeing a people, who in their opinion, were ill-prepared for freedom and the responsibilities of republican citizenship. See, for examples, the comments by Bishop Stephen Elliott (1862) and B. M. Palmer (1860) in Jenkins, *Proslavery Thought in the Old South*, 239-240; James Henry Hammond, "Speech at Barnwell Courthouse, October 29, 1858," in *Selections from Letters and Speeches*, 335-339; the *SR*, I (February 1828), 219-234; the *SQR*, new ser., 6 (January 1852), 153-175; William Pinckney speech, February 15, 1820, *Annals of Congress*, 16th Cong., 2nd sess., 391. Interestingly, the irresponsibility and misbehavior on the part of some free blacks was criticized by other free blacks for injuring their liberty and doing harm to the cause of abolition. See "A Slave [Jupiter Hammon] Defends Slavery," in Howard, A. Quint, et al, eds., *Main Problems in American History* (2 vols., Homewood, Ill., 1968), I, 399-402. See especially the debate within the black abolitionist movement.

39 As of 1978, and the completion of the author's dissertation, the key studies in this historiographical revolution, are Robert McColley, *Slavery and Jeffersonian Virginia* (Champaign, Ill., 1964); Donald L. Robinson, *Slavery in the Structure of American Politics, 1765-1820* (New York, 1971); Edmund S. Morgan, "Slavery and Freedom: The American Paradox," *JAH*, 59 (June 1972), 5-29; David Brion Davis, *The Problem of Slavery in the Age of Revolution, 1770-1823* (Ithaca, New York, 1975); Robert E. Shalhope, "Thomas Jefferson's Republicanism and Antebellum Southern Thought," *JSH*, 42 (November 1975), 529-549; and Jack P. Greene, *All Men Are Created Equal: Some Reflections on the Character of the American Revolution* (Oxford, 1976). Not only was there no incompatibility between republican liberty and slavery, but previous writers on the subject have exaggerated the anti-slavery sentiments of the Founding Fathers as well as their commitment to democracy and equality. At the same time, they have also underestimated both the strength of slavery itself as well as the extent of pro-slavery thought in the early national period. On these points, see, respectively, Davis, *The Problem of Slavery in the Age of Revolution*, 164-212 (on the "antislavery myth" and the "myth of democracy"); Gordon E. Finnie, "The Antislavery Movement in the Upper South Before 1840," *JSH*, 35 (August, 1969), 319-342; Patricia Hickin, "Samuel M. Janney and the Antislavery Movement in Virginia, 1842-1851," *ibid.*, 37 (May, 1971), 159-190; and Davis, *The Problem of Slavery in the Age of Revolution*, 210, 212 (for the exaggeration of anti-slavery sentiment in the South.) For the direct defense of slavery sentiment in the Revolutionary period (previously believed not to have existed, see Fredrika T. Schmidt and Barbara R. Wilhelm, "Early Proslavery Petitions in Virginia," *W&MQ*, 3rd ser., 30 (January, 1973), 133-146. For the opposite view, see Freehling, "The Founding Fathers and Slavery," *AHR*, 77 (February 1972, 81-93. The quotes are from Greene, *All Men are Created Equal*, 32; and Robinson, *Slavery in the Structure of American Politics*, 54, 83. In effect, historians who still emphasize the anti-slavery views of the founders and framers are just repeating abolitionist misinterpretations of 1776 and 1787 (e. g., William Lloyd Garrison's idea of a pro-slavery compact and a "Covenant with Hell" and Lysander Spooner's *The Unconstitutionality of Slavery* [Boston: B. Marsh, 1845]). Garry Wills does this in *Negro President: Thomas Jefferson and the Slave Power* (Boston and New York, 2005) as do Lawrence Goldstone, *Dark Bargain: Slavery, Profits, and the Struggle for the Constitution* (New York, 2007); Robin Einhorn, *American Taxation, American Slavery* (Chicago, 2006); Woody Holton, *Unruly Americans and the Origins of the American Constitution* (New York, 2007); Matthew Mason, *Slavery & Politics in the Early American Republic* (Chapel Hill, 2006); Paul Finkelman, *Slavery and the Founders: Race and Liberty in the Age of Jefferson* (Armonk, New York and London, 2003); and Joseph J. Ellis, *American Creation: Triumphs and Tragedies at the Founding of the Republic* (New York, 2007). See also William W. Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina, 1816-1836* (New York, 1965, 1966); Freehling, *The Road to Disunion: Secessionists at Bay, 1776-1854* (New York, 1990); and Freehling, *The Road to Disunion: Secessionists Triumphant, 1854-1861* (New York, 2007). But see Larry E. Tise, *Proslavery: A History of the Defense of Slavery, 1701-1840* (Athens, Ga., 1990); Don E. Fehrenbacher, *The Slaveholding Republic* (New York, 201, 2002); and Eugene D. and Elizabeth Fox-Genovese, Eugene D. and Elizabeth Fox-Genovese, *The Mind of the Master Class: History and Faith in the Southern Slaveholders' Worldview* (Cambridge and New York, 2005). For a definition of republicanism and liberty as it was interpreted in 18th terms, see Vol. one, *Nullification, A Constitutional History, 1776-1833: James Madison Not the Father of the Constitution: Other Framers, Different Intentions, and the Origins of Nullification, 1776--1787* (Lanham, Maryland, 2008.)

40 Jenkins, *Proslavery Thought in the Old South*, 1, 39-40, 48-59; McColley, *Slavery and Jeffersonian Virginia*, 121.

41 Jenkins, *Proslavery Thought in the Old South*, 1; Davis, *The Problem of Slavery in the Age of Revolution*, 41. See also David Brion Davis, *The Problem of Slavery in Western Culture* (Ithaca, New York, 1966). That slavery emerged as a force to be reckoned with in the period 1820-1860 is not that surprising. After all, it was during those years that America became "modernized" and "democratized." As Davis notes, antislavery opinion reflected the needs of an emergent capitalistic order. Not only that, it embodied social-political ideals that were radically egalitarian. In this sense, the debate between Northerners and Southerners over slavery was more than a defense or critique of the "peculiar institution." Rather it was an incident in a larger struggle of competing world views and rival social-political-

economic philosophies. And therein lay the “real” Civil War in America (See note #1 above.) For Southern awareness of this momentous shift in history, and its relation to the modernization and democratization of the U. S., see “California Gold and European Revolution,” in *SQR*, new ser., I (July 1850), 278-313 and the other articles in that journal. See also the astute observations by James Henry Hammond in *Selections From the Letters and Speeches of James Henry Hammond*. As he noted in 1836, “every close observer must perceive that we are approaching, if we have not already reached, a new era in civilization. The man of the nineteenth century “is not the man of the seventeenth Within the last sixty years there have been greater changes . . . in the history of civilized man, than had taken place before, perhaps, since the reign of Charlemagne.” Along with the great changes brought about by the Industrial Revolution, he stated, there also emerged a belief in the “the people.” Not “the ‘people’ as we have hitherto been accustomed . . . to define . . . but the mob—the Sans-Culottes. Proclaiming as their watchword that now prostituted sentiment ‘that all men are born free and equal,’ they have rallied to their standard the ignorant, uneducated, semi-barbarous mass The result is as obvious as if it were written on the wall. . . . The spoils of victory are theirs, and they will gorge and fatten on them.” (“Speech on Abolition Petitions,” 1836, in *ibid.*, 41-44.) Hammond’s reference to the “Sans Culottes” is a code word the significance of which has yet to be discerned by many American and Southern historians. The term relates to the second and radical French Revolution of 1792-1794 (after the limited and liberal one of 1789-91) and its culmination in a “Reign of Terror.” In the name of liberty were thousands of French were killed. Liberty, of course, was given a radical and more egalitarian meaning by Maximilien Robespierre who was influenced by Jean Jacques Rousseau (“Man is free, but everywhere in chains.”) Here was the birth of democracy, actual equality, abolitionism, and nationalism (the “General Will”) all in one. See Dr. Wood, “World History Notes for Test Two, 1776-1865” in the appendix to volume two of *Nullification, A Constitutional History, 1776-1833: James Madison and the Constitutionality of Nullification, 1787-1828* (forthcoming from the University Press of America, 2008). See also David Andress, *The Terror: The Merciless War for Freedom in Revolutionary France* (New York, 2005) and Ruth Scurr, *Fatal Purity: Robespierre and the French Revolution* (New York, 2006). These revolutionary new “isms” would later surface as Romanticism after the Napoleonic era of 1801-1815 and live on to inspire many revolutions in Europe culminating in the year 1848. While Romanticism and revolution failed in Europe, they would succeed later in America in the “half century of Revolution” between 1815 and 1865 (to quote Vernon L. Parrington). From Romanticism sprang individualism, perfectionism, and reform(s). The progression went like this: Romanticism in America begot Unitarianism and abolitionism and finally nationalism (as the states united or Rousseau’s “General Will”) as the final reform to rid America of slavery and the South). In Germanic-Romantic terms (from Johann Herder), only with the creation of a new nation could society finally be perfected and sustained. Far from preserving the union, Lincoln, the Republican Party, and abolitionists were very much about making it anew and their ideas and ideals were born of the 19th Romantic revolution in America (or Transcendentalism misinterpreted to be native rather than foreign). The South, of course, stood for old-fashioned republicanism and the real and more limited intentions of the founders and framers. For Romanticism and the Northern origins of the Civil War, see Wood, “The Union of the States” and the articles cited in note #1 above. This new interpretation of the American Civil War will be the focus of “Republicanism, the Untold History of an Idea: Essays toward a Reconstruction of American and Southern History, 1776-1865 (and the Northern Origins of the Civil War and the Not So Lost Cause of the South.” See especially Eugene D. and Elizabeth Fox-Genovese, *The Mind of the Master Class: History and Faith in the Southern Slaveholders’ Worldview* (Cambridge and New York, 2005), which study is about the memory of the French revolution in America and the opposition to its many radical “isms.”

42 Quoted in Chitty, *Reconstruction at Sewanee: The Founding of the University of the South and Its First Administration, 1857-1872* (Sewanee, Tenn., 1954), 174.

43 J. H. Easterby, *College of Charleston*, 53-54; Daniel Walker Hollis, *South Carolina College* (Columbia, S. C., 1951), 31; James B. Sellers, *History of the University of Alabama* (University, Ala., 1953), 147.

44 Easterby, *College of Charleston*, 53-54. See also Sellers, *History of the University of Alabama*, 144-174; Hollis, *South Carolina College*, 32; Philip A. Bruce, *History of the University of Virginia, 1819-1919* (New York, 1921), 28-61; and Robert Woodward Barnwell to the Board of Trustees, *South Carolina College*, November 1, 1857 (*Barnwell Papers, SCL/USC*).

45 Thomas Cooper to Thomas Jefferson, September 22, 1814 (Cooper Papers, SCL/USC); Easterby, *College of Charleston*, 119-120.

46 Quoted in the Augusta, Ga., *State Gazette and Independent Register*, August 25, 1787. Important in this respect, too, were the strict rules and regulations followed both in the colleges and the academies. For examples of their daily routine, see the “Minutes of the St. David Society,” July 5, 1823 (SCL/USC); Easterby, *College of Charleston*, 131-132; Hollis, *South Carolina College*, 32-33; and Sellers, *History of the University of Alabama*, 159-160, 196-196.

47 John Westcott to Thomas Baltzell, November 28, 1844, in Knight, ed., *Documentary History of Education in the South Before 1860*, V, 104-108; “Report of the Faculty of South Carolina College to the Legislature of South Carolina, 1826,” in *ibid.*, 24-34. For additional references to the importance of education, see the William Dickinson Martin Diary, 1809 (SCL/USC); the Augusta, Ga., *Chronicle*, July 3, 1835; the “Minutes of the South Carolina Society for the Advancement of Learning, December 5, 1837-December 20, 1837” (SCL/USC); Edward Spann Hammond Diary, January 1, 1852- August 8, 1852, entry for March 6, 1852 (Edward Spann Hammond Papers, *ibid.*); James

Hopkins Adams, "Dressage to the Senate and House of Representatives of South Carolina, November 28, 1855" (Adams Papers, *ibid.*); the New Orleans *Bee*, July 31, 1833; the Charlotte, N.C., *Journal*, March 10, 1837; and "Minutes of the Superior Court of Richmond County, Georgia," January 13, 1844.

48 Governor James Henry Hammond, "Message to the Senate and House of Representatives of South Carolina, November 26, 1844," in *Selections from Letters and Speeches*, 89; Knight, ed., *Documentary History of Education in the South*, V, 24-34.

49 See Knight, ed., *Documentary History of Education in the South*, V, 2-3, 13-15, 24-34, 85-89, 92-93. See also Thomas Cooper to the Board of Trustees of South Carolina College, April 22, 1821 (Cooper Papers, SCL/USC); and "Practical Education," in the *SR*, I (May 1828), 478-503.

50 "Classical Learning," *SR*, I (February 1828), 3, 5.

51 "Classical Learning," *ibid.*, 13, 15-19.

52 "Classical Learning," *ibid.*, 20-21; *SQR*, new series, 3 (January, 1851) 263.

53 See Sellers, *History of the University of Alabama*, 149, 151, 154-155. See also Chitty, *Reconstruction at Sewanee*, 178-180; Easterby, *College of Charleston*, 130-131.

54 James Kershaw Diary, 1822 (SCL/USC); Edward Spann Hammond, *Pocket Diary*, 1859-1863 (*ibid.*).

55 James Kershaw Diary, 1801-1809 (SCL/USC); *SQR*, new series, II (September, 1850), 263-264. See also James Kershaw Diary, May 30, 1791-December 31, 1792 (quoting Locke, Shakespeare, Hume's *History of England* [VI, 274], and "the political writers of antiquity" on the three pure forms of government); the Augusta, Ga., *Chronicle and Gazette*, February 13, October 1, 1796, August 11, 1798 (listing historical works for sale); James Madison to Thomas Jefferson, September 10, 1824, February 8, 1825, in Hunt, ed., *Writings of Madison*, IX, 202-205, 218-221 (on books for the University of Virginia); the "Public Economy of Athens," *SR*, VIII (February, 1832), 265-326; Hugh Swinton Legaré, "Diary of Brussels," May 6, 1833 (reporting his readings in Greek, history, and politics); "Classical Learning," in the Raleigh, N. C., *Register*, April 28, 1835; the *SQR*, new ser., II (September, 1850), 249-251 (reviewing Greek grammar books); "Athenian Orators," in *ibid.*, new ser., IV (October, 1851), 352-389; John C. McClenaghan's college notebook with ancient history notes (MS vol. bound, 1854-1855, McClenaghan Papers, SCL/USC); the *SQR* new, new ser., II (January, 1855), 268-272, 276 (reviewing recent ancient and medieval histories); and William Moultrie to Maj. Gen. Nathaniel Greene, May 5, 1783 (Moultrie Papers, SCL/USC). Commenting on the end of the war for American Independence, Moultrie stated that there was "scarcely an American officer" who would "but most cheerfully lay by his sword & uniform. . . and with heartfelt joy retire to the callings of a country life free from the tumultuous busy scenes of war. Cincinnatus [sic] himself never returned to his plow better pleased."

56 Bozeman, "Joseph Le Conte: Organic Society and a 'Sociology for the South,'" *JSH*, 39 (November 1973), 565-582. See also William Henry Layton, "The Carolina Ideal World: Natural Science and Social Thought in Antebellum South Carolina," *CWH*, 20 (June 1974), 118-134.

57 Jenkins, *Proslavery Thought in the Old South*, 207-208, 216, 219. This analysis is also based on a reading of Ernest Trice Thompson, *Presbyterians in the South* (3 vols., Richmond, 1863); John S. Boles, *The Great Revival, 1787-1805: The Origins of the Southern Evangelical Mind* (Lexington, Ky., 1972); Samuel S. Hill, Jr., *Religion and the Solid South* (Nashville, Tenn., 1972); and John Lee Eighmy, *Churches in Cultural Captivity: A History of the Social Attitudes of Southern Baptists* (Knoxville, Tenn., 1972). See also Andrew Fuller, *The Backslider: The Christian Doctrine of Rewards; and the Discipline of the Primitive Churches* (New York, 1824), copy in the John Blount Miller Papers, SCL/USC; James Henry Hammond, "Untitled Thoughts, 1844-1855" (Hammond Papers, SCL/USC); and R. H. Barnwell to Robert Barnwell Rhett, January 31, 1859 (Rhett Papers, *ibid.*).

58 Jenkins, *Proslavery Thought in the Old South*, 216. See also Smith, *In His Image But. . .*, 129-165; the reviews of Sir Charles Lyell's, *A Second Visit to the United States of North America* (1849) and Hugh Miller, *The Foot-Prints of the Creator* (1850) in *SQR*, new ser., 1 (July 1850), 406-426 and *ibid.*, new ser., 3 (January 1851), 274-275; and "Ancient and Scripture Chronology," in *ibid.*, new ser., 2 (November 1850), 385-436.

59 *SQR*, new ser., 6 (October 1852), 467; Edward Spann Hammond Diary, October 8, 1856 (SCL/USC). As James Smith wrote in 1820: "Man often in his pursuits of life forgets that every thing is transient." ("Book of Compositions," Smith Papers, *ibid.*). See also James Henry Hammond, "Thoughts and Recollections, 1852-1853" (Hammond Papers, *ibid.*); Alexander H. Stephens, "Address before the Few and Phi Gamma Societies of Emory College, July 21, 1852," in Cleveland, *Alexander H. Stephens*, 364-376; R. H. Barnwell to Robert Barnwell Rhett, January 11, 1861 (Rhett Papers, SCL/USC). For similar sentiments, see the Inaugural and Valedictory Addresses in the "Minutes of the Clariosophic Society of the University of South Carolina, 1858-1874" (SCL/USC).

60 Crallé, ed., *Works*, II, 30. In general, see John Richard Alden, *The American Revolution*; Kenneth Coleman, *The American Revolution in Georgia*; and Don Higginbotham, *The American War of Independence*. More recent studies of the American Revolution and aftermath are John Ferling, *A Leap in the Dark: The Struggle to Create the American Republic* (New York, 2003) and Thomas Fleming, *The Perils of Peace: America's Struggle for Survival after Yorktown* (New York, 2007). For the war in South Carolina and the South, see John B. Gordon, *South Carolina and the American Revolution* (Columbia, S. C., 2007); Walter B. Edgar, *Rebels and Redcoats: The Southern Conflict*

That Turned the Tide of the American Revolution (New York, 2003); Patrick O'Kelley, *Nothing But Bloodshed and Slaughter: The Revolutionary War in the Carolinas* (Bangor, Maine, 2005); Lawrence E. Babits, *A Devil of a Whipping: The Battle of Cowpens* (Chapel Hill, 2003); John Buchanan, *The Road to Guilford Courthouse: The American Revolution in the Carolinas* (New York, 1999); Robert Bass, *Swamp Fox* (Columbia, S. C., 1989); Dan Higginbotham, *Daniel Morgan: Revolutionary Rifleman* (Chapel Hill, 1979). Contemporary descriptions include Oliver Hart to Joseph Hart, March 4, July 5, 1778 (Oliver Hart Papers, SCL/USC); Oliver Hart Diary, February 15, 1781 (reporting on the Battle of Cowpens); William Moultrie to Charles Montague, March 12, 1781 (Moultrie Papers, *ibid.*); Pierce Butler to Rhea, November 18, 1791 (Pierce Butler Letterbook, *ibid.*); James Iredell to his wife (Hannah), May 18, 21, 22, 24, 28, September 28, October 8, 12, 17, 1780; Robert Smith to Iredell, January 30, 1781; Charles Johnson to Iredell, February 13, 1781, all in McRee, ed., *Life and Correspondence of James Iredell*, I, 444-447, 450-453, 459-461, 463-468, 485-488. See also "Letters from Governor Sir James Wright to the Earl of Dartmouth and Lord George Germain, 1774-1782," in *Collections of the Georgia Historical Society*, 3 (1873), 180-378; and "Letters of Joseph Clay, Merchant of Savannah, 1776-1793," *ibid.*, 8 (1912), 7-253; Valuable in this respect are the novels of William Gilmore Simms: *The Partisan* (1835); *Mellichampe* (1836); *Katharine Walton* (1851); *The Scout* (1841); *The Forayers* (1855); *Woodcraft* (1852); *Eutaw* (1856), and *Joscelyn* (1866).

61 William Dickinson Martin Journal, 1809, SCL/USC; John Hope Franklin, "The North, the South, and the Revolution," 16; *SQR*, new ser., I (July 1850), 314; "Book of Compositions," James Smith Rhett Papers (SCL/USC).

62 "Fourth of July Oration, 1831," Pickens Family Papers" (SCL/USC).

63 "Farewell Speech," Augusta, Georgia, July 2, 1859, in Cleveland, Alexander H. Stephens, 643; Pickens, "Fourth of July Oration," 1831.

64 Winsmith, "An Address delivered before a Collection of the Citizens of Spartanburgh & Union Districts on the 4th July, 1843" (Winsmith Papers, SCL/USC).

65 Winsmith, "Address," *ibid.*

66 Winsmith, "Address," *ibid.*

67 Winsmith, "Address," *ibid.* For similar views of the Revolution, see H. Townes to George F. Townes, August 23, 1834 (Townes Family Papers, SCL/USC); the Augusta, Ga., *Chronicle*, March 22, May 17, 1834; the Charlotte, N. C., *Miners' and Farmers' Journal*, August 9, 1834; the Augusta, Ga., *Chronicle*, September 17, 1836; the Charlotte, N. C., *Journal*, August 26, 1836; the *SQR*, new ser., 1 (July 1850), 314-354; *ibid.*, 2 (September 1850), 191-2332; Jefferson Davis, "Speech at Faneuil Hall, Boston, September 11, 1858," in Rowland, ed., *Jefferson Davis: Constitutionalist*, III, 315-332; Claiborne, ed., *Life and Correspondence of John Quitman*, I, 19; Simms, "The Epochs and Events of American History, as Suited to the Purposes of Art in Fiction," in *Views and Reviews*, 30-127.

68 Clement Eaton, *The Rise of Southern Civilization, 1790-1860* (New York, 1961), 98-124.

69 John Taylor, *Arator*, 278-280 (quoted from Simms, *Life of John Taylor*, 152-153); Calhoun to Sterling, April 16, 1820, in *Papers of John C. Calhoun*, V, 42. See also William Johnson, *Nugae Georgicae* (Charleston, 1815); and "Agrarianism" in Eugene T. Mudge, *Social Philosophy of John Taylor*, 151-204.

70 "American Agriculture," in *SQR*, new ser., 5 (April 1852), 275.

71 "American Agriculture," in *ibid.*, 275-276. "Every farmer or planter is his own shoemaker, tanner, tailor, carpenter, brazier, and in fact everything else. Everything comes by the farmer or his family." (Journal of Captain Michael Gaffney, 1800-1813," SCL/USC).

72 Frank L. and Harriet C. Owsley, "The Economic Basis of Society in the Late Ante-Bellum South," *JSH*, 6 (February 1940), 29, 30; Eaton, *The Growth of Southern Civilization*, 150-176.

73 Eaton, *The Growth of Southern Civilization*, 221-270; Robert W. Fogel and Stanley L. Engerman, *Time on the Cross: The Economics of Negro Slavery* (2 vols., Boston, 1974), I, 97-102. For an example of this professional middle class in antebellum Augusta, see *The Augusta City Directory for 1841* (Augusta, 1841) and *The Southern Business Directory* (Savannah, 1854).

74 Owsley and Owsley, "Economic Basis of Society in the Late Ante-Bellum South," 30; Eaton, *The Growth of Southern Civilization*, 98-99, 158. and John W. Blassingame, *The Slave Community: Plantation Life in the Antebellum South* (New York, 1972), vii. According to one recent study, "the widely accepted implication of antislavery writers. . .that due to slavery there was a more inequitable wealth-holding situation in the South than in the North is probably incorrect." See Richard Lowe and Randolph G. Campbell, "Slave Property and Distribution of Wealth in Texas in 1860," *JAH*, 62 (September 1976), 324. On the inequality of wealth in the North, see Edward Pessen, *Riches, Classes, and Power Before the Civil War* (Lexington, Mass., 1973).

75 Eaton, *The Growth of Southern Civilization*, 151-152, 158-159.

76 Eaton, *The Growth of Southern Civilization*, 21, 152-153. Calhoun's background is detailed in volume one of *The Papers of John C. Calhoun* (1959).

77 Thomas Rusk to Calhoun, November 1, December 12, 1825. See also *Dictionary of American Biography* (DAB), XVI, 236-237, for a sketch of Rusk.

78 Rusk to Calhoun, *ibid.*; DAB, XVI, 236-237.

79 Foust and Swan, "Productivity and Profitability of Antebellum Slave Labor," in William N. Parker, ed., *The Structure of the Cotton Economy of the Old South* (Washington, D. C., 1970), 39-62; Fogel and Engerman, *Time on the Cross*, 191-209; and Robert E. Gallman, "Self-Sufficiency in the Cotton Economy of the Old South," in Parker, ed., *The Cotton Economy of the Old South*, 5-24. Although *Time on the Cross* has been highly criticized, its conclusions

have been substantiated by numerous other studies during the last decade. See Donald Markwalder, "The Ante-Bellum South as a Market for Food," *GHQ*, 54 (Fall 1970), 408-418; Fogel and Engerman, "The Relative Efficiency of Slavery: A Comparison of Northern and Southern Agriculture in 1860," *EEH*, 8 (Spring 1971), 353-367; Fogel and Engerman, ed., *The Reinterpretation of American Economic History* (New York, 1971); William K. Hutchinson and Samuel H. Williamson, "The Self-Sufficiency of the Antebellum South: Estimates of the Food Supply," *JEH*, 31 Z (September 1971), 591-609; Gavin Wright, "New and Old Views on the Economics of Slavery," *JEH*, 32 (June 1973), 452-466; R. Keith Aufhauser, "Slavery and Technological Change," *JEH*, 34 (March 1974), 36-50; Fred Bateman and Thomas Weiss, "Comparative Regional Development in Antebellum Manufacturing," *JEH*, 35 (March 1975), 621-629. The key study was Alfred H. Conrad and John R. Meyer, "The Economics of Slavery in the Ante-Bellum South," *J. of Pol. Economy*, 66 (April 1958), 95-130. Harold D. Woodman reviews the profitability debate in "The Profitability of Slavery: A Historical Perennial," *JSH*, 29 (1963), 303-325.

80 Fogel and Engerman, *Time on the Cross*, 247-257

81 Eaton, *The Growth of Southern Civilization*, 316. See also Edward Pollard's statement that "the people of the North have never studied politics as a moral science." (*Southern History of the War*, II, 300.) A key study is Ralph A. Wooster, *The People in Power: Courthouse and Statehouse in the Lower South* (Knoxville, Tenn., 1969). According to the Charlotte, N.C., *Miners' and Farmers' Journal*, there were 1,250 newspapers being published in America. (Ibid., January 9, 1835.) For Southerner's preoccupation with politics, see the discussion of college debating societies in Sellers, *History of the University of Alabama*, 175-196 and Hollis, *South Carolina College*, 69.

82 See the Augusta, Ga., *Chronicle and Gazette*, December 23, 1789; and January 16, 23, 30, February 6, 13, 20, 27, March 6, 13, 27, April 10, 17, May 15, June 12, 19, 1790

83 Augusta, Ga., *Chronicle and Gazette*, July 14, August 11, September 8, 1798; Augusta, Ga., *Chronicle*, January 14, 21, 28, 1822; February 11, 1822.

84 Augusta, Ga., *State Rights' Sentinel*, June, 2, 5, 26, July 10, 21, 25, 27, 31, 1835.

85 Winsmith, "Address, 4th July 1843. S

86 *The Papers of John C. Calhoun*, X, 24.

87 *The Papers of John C. Calhoun*, X, 28-29, 47-48.

88 According to William Gilmore Simms, there were, apart from schools, two sources of political education: the stump during a political canvass and literature. In his opinion, the former was sufficient enough. The "great body of the Southern people are better informed in political affairs—on the great questions which affect the interests of the Nation—in the absolute terms of the Constitution. . . than any other people in the Union." (Simms to Charles L. Wheeler, May 9, 1849, in Oliphant, et al, eds., *Letters of William Gilmore Simms*, II, 512-513.) For one example, Calhoun wrote to Lt. James E. Colhoun and mentioned not only family news and crop conditions, but also affairs abroad including the English attack on the Ottoman Turkish fleet at Navarino and "the unexpected triumph of liberals" in France. (January 23, 1828, *Papers of Calhoun*, X, 336-339.) For Southern newspapers and journals in general, see Couch, *Culture in the South*, 159-182 and, more recently, Jeffrey L. Pasley, *"The Tyranny of the P di rinters": Newspaper Politics in the Early American Republic* (Charlottesville, Va., 2003). Forget about the "objectivity myth," Pasley informs us. Newspapers and their editors were highly partisan early on in the republic's history. "Newspapers helped generate an audience before an event and broadcast news of it afterwards. Southern political barbecues were heavily advertised in the newspapers." (Ibid., 5.) Forget, too, about "democracy in America." There was no such thing whether with the rise of Jefferson or Jackson. (Ibid., 18.) Especially with the Jeffersonian-Hamiltonian conflict of the 1790's culminating in the election of Jefferson in 1800 did the Republican newspapers adopt the role of "watchman" of the government. Speaking in the language of republicanism, here's what Samuel Morse had to say. "That a fondness for power is inherent in the human mind, I believe an incontrovertible axiom, that this fondness would lead many to practice any baseness to acquire their favorite object; and that the liberties of a nation in this way may be overthrown unless their machinations were timely discovered and prevented, I think equally indisputable. It is the press that must discover to the public a detection of such machinations." (Ibid., 165.)

89 See, for example, H. Greenleaf to Joel Eastman, March 14, September 25, 1825 (Greenleaf Papers, SCL/USC); Thomas Cooper to Joseph Priestly, January 26, 1833 (Cooper Papers, ibid.); "Kennedy's Swallow Barn," in *SQR*, new ser., 5 (January 1852), 80; F. W. Pickens to Beaufort Watts, October 24, 1857 (Watts Papers, SCL/USC); James Henry Hammond to Thomas Clarkson, March 24, 1845 in *Selections from Letters and Speeches*, 192-193; Laura White, Robert Barnwell Rhett, 3; and William Garrott Brown, *The Lower South*, 112.

90 In general, see James Henry Hammond, "An Oration on the Life, Character and Services of John Caldwell Calhoun, Charleston, S. C., November 21, 1850," in *Selections from Letters and Speeches*, 231-300. For Calhoun's interest in agriculture, see note 69 above and individual volumes of *The Papers of John C. Calhoun*. On his interest in education, see Calhoun to Benjamin Silliman, August 14, 1825, in *Papers of Calhoun*, X, 35 and to David Daggett, January 6, 1828, ibid., 331-332.

91 *The Papers of John C. Calhoun*, X, 17, 21-26. For Calhoun, politics was a means to the end of promoting the larger good (res publica) and not at all for personal gain. See Calhoun to Dr. James McBride, September 11, 1811, in *Papers of John C. Calhoun*, I, 61-62. Complaining of the law and his strong aversion to it, he wrote to Mrs. Floride Colhoun that he was "determined to forsake it as soon as I can make a decent independence; for I am not ambitious of great wealth." (April 6, 1809, ibid., I, 41.) See also Calhoun to Virgil Maxcy, September 9, 1825 in ibid., 42-44. That Calhoun was devoted to the Union is understandable only in the context of its original meaning. See Wood,

Nullification, A Constitutional History, 1776-1833, Volume One. James Madison Not the Father of the Constitution: Other Framers, Different Intentions, and the Origins of Nullification, 1776-1787 (Lanham, Md., 2008). Volume two will be entitled *In Defense of the Republic: John C. Calhoun and State Interposition in South Carolina, 1816-1833*. As Robert Barnwell Rhett expressed it to R. M. T. Hunter, "I am seeking to put the Union on its true basis of the Constitution. I trust I appreciate the Union the Constitution has established as highly as any one. I hold the Constitution in politics as I do the Bible in religion. My object is not to destroy the Union, but to maintain the Constitution, and the Union, too, as the Constitution has made it." (Rhett to Hunter, August 30, 1844, in Ambler, ed., *Correspondence of Hunter*, 70-71.) See also Jefferson Davis, "Life and Character of the Honorable John C. Calhoun," NAR, 145 (September 1887), 246-260.

92 *SQR*, new ser., 2 (November 1850), 506; Hammond, "Oration," 261-262, 298. See also "Calhoun on Government," *SQR*, new ser., 7 (April 1853), 333-379. Calhoun's aim was always to preserve intact and inviolable the limited and balanced government established by the founders and framers. Calhoun was no "theorist" since he invented nothing new about American politics and government. Like the founding fathers, Calhoun was concerned with "majority tyranny" and preserving the "extended republic" (the anti-Federalist version rather than the Madisonian one). Even his concurrent majority and a dual presidency can be found in the *Notes of Debates* of James Madison. See Wood, volume one of *Nullification, A Constitutional History, 1776-1833*.

93 See Wood, "The Union of the States," and volume one of *Nullification, A Constitutional History, 1776-1833*.

94 Rowland, ed., *Jefferson Davis: Constitutionalist*, IV, 30.

95 Rowland, ed., *Jefferson Davis: Constitutionalist*, V, 43-44; I, 226-236, 334-346; IV, 253.

96 Cleveland, *Alexander H. Stephens*, 808, 812. See also *ibid.*, 646, 729-746, 797. Writing to Howell Cobb after the Civil War, A. C. Niven stated that "a sea of blood has rolled between us since . . . we met . . . last. Your agency in that sad business was a stern necessity. . . . As a Northern man my cooperation was of the heart alone. This was all I could give to what I ever considered a righteous cause against threats or overt acts of those tyrants" trampling our constitutional rights." (April 9, 1866, in Phillips, ed., *Correspondence of Toombs, Stephens, Cobb*, 679-681.) "The Federal Gov[ernment] is no longer the Gov[ernment] of our fathers." Indeed, it had become "thoroughly revolutionized [sic] and. . . [was] no longer a Union of equals." (William King Easley, "Draft of a Speech [not delivered] to the S. C. Secession Convention, December ?, 1860," in William King Easley Papers, SCL/USC.) For many other similar statements as well as references to 1776, see Candler, ed., *The Confederate Records of Georgia*, I, 19-156, 623-624, 631-634, 654-688; II, 77-125. Not only was the "Lost Cause" as a defense of the republic not a post-Civil War invention, but it was also accurate, historically and constitutionally.

Quotes

“State Sovereignty—The temple of American liberty may be considered as having State Sovereignty for its foundation—State Rights for its walls—and State Remedies for its roof. Without State Sovereignty State Rights could never have had an existence, and without State Remedies they can never be preserved. What would the walls of a stone or brick edifice be, without a foundation to rest upon, or without a roof to protect them and the people contained within them, from the violence of storms? The doctrine of State Sovereignty is, in truth, the basis of our whole republican theory, and it is of the greatest importance that it be well and clearly understood.” (Condy Raguet, “An Address upon the Sovereignty of the States, Delivered before the State Rights Association of Pennsylvania. . . on the 4th of March,” in the Augusta, Ga., *Chronicle*, April 9, 1834.)

“Free trade, low duties, no debt, separation from banks, retrenchment, and strict adherence to the Constitution.” (Robert Barnwell Rhett, in *The Charleston Mercury*, November 28, 1842 quoted in Laura White, *Robert Barnwell Rhett, Father of Secession* [New York, 1931], 58.)

“Economy is a high political virtue and must always be popular with the people of this country. You know in what sense, I use the word: and I do not hesitate to say, that any administration, which neglects it ought to go down.” (John C. Calhoun to Samuel D. Ingham, November 6, 1820 (Calhoun Papers, South Caroliniana Library/University of South Carolina.)

“Our forefathers of the thirteen united colonies, in acquiring their independence and in founding this Republic of the United States of America, have devolved upon us, their descendants, the greatest and the most noble trust ever committed to the hands of man, imposing upon all, and especially such as the public will may have invested for the time being with political functions, the most sacred obligations. We have to maintain inviolate the great doctrine of the inherent right of popular self-government; to reconcile the largest liberty of the individual citizen with complete security of the public order; to render cheerful obedience to the laws of the land, to unite in enforcing their execution, and to frown indignantly on all combinations to resist them; to harmonize a sincere and ardent devotion to the institutions of religious faith with the most universal religious toleration; to preserve

the rights of all by causing each to respect those of the other; to carry forward every social improvement to the uttermost limit of human perfectibility, by the free action of mind upon mind, not by the obtrusive intervention of misapplied force; to uphold the integrity and guard the limitations of our organic law; to preserve sacred from all touch of usurpation, as the very palladium of our political salvation, the reserved rights and powers of the several States and of the people; to cherish with loyal fealty and devoted affection this Union, as the only sure foundation on which the hopes of civil liberty rest. . . .” (Franklin Pierce, 1854, Second Annual Message, December 4, 1854, in Fred L. Israel, ed., *The Chief Executive: State of the Union Messages of the Presidents* [New York, 1965], 364.)

“Contrary to your apprehension you will see that few Carolinians will be found, even among my political enemies, if I still have any, who will not be ashamed to pretend to believe that I have knowingly turned my coat; that is, put off the republican character, which it cost me some toil to earn and which I still wear with some pride. They all know, as their fathers or grandfathers knew, that in this country, republicanism, in its true sense, was intended to mean, that its professors had both the right and the will to resist effectually unauthorized power, which in every shape mean usurpation. If any one of the present generation have forgotten this wholesome truth, let them before they attempt to seduce or terrify me, read carefully the Declaration of Independence, the debates of the ratification of the Federal Constitution, the Constitution itself & its amendments, without which it would not have existed five years, the Virginia and Kentucky Resolutions adopted in the reign of terror, the proceedings and protest of their own and other Legislatures on the fraudulent Tariff of 1828, and last, because latest, the second officer of the General Government [John C. Calhoun] of the principles, the policy, the powers and limitations ascribed in the Constitution to the Federal authority by the state authorities when they formed the Constitution—and of the old Confederation. . . .”

(Gen. Thomas Sumter to Thomas D. Sumter, August 23, 1831 in Thomas Sumter Papers, South Caroliniana Library/University of South Carolina.)

Appendix A. Myth-Making and Original Intentions, the Spirit of 1776, Citizenship, States' Rights, and the Union of the States, 1787-1818 (from *History of the Proceedings and Debates in the Congress of the United States, 1789-1824*, 42 volumes, Washington, D. C., 1836-1842; cited hereafter as *Annals of Congress*)

"Myths and legends flourish despite the accessible bodies of factual information that contradict them."
(Michael Kammen, *Mystic Chords of Memory*, 26)

"Every nation needs a mythic explanation of its own."
(*Ibid.*, 27)

"What people believe to be true about their past is usually more important. . . than truth itself."
(*Ibid.*, 38-39)

"Not enough people pay attention to scholarly history. They never have, and I don't believe they ever will."
(*Ibid.*, 38)

"Myths presented in the guise of history, or tradition as collective memory, can serve conservative ends, or innovative ones. . . ."
(Michael Kammen, *Mystic Chords of Memory*, 17)

"Memory is more likely to be activated by contestation, and amnesia is more likely to be induced by the desire for reconciliation."
(*Ibid.*, 13)

"The vehemence with which the past was rejected in the sixth and seventh decades after Independence is astonishing."
(*Ibid.*, 42)

Perfecting the Constitution

Remarks on "Amendments to the Constitution" by Thomas Sumter of South Carolina: "I rose on this occasion, not so much to make any observations upon the point immediately under consideration, as to beg the committee to consider the consequences that may result from an undue precipitancy and hurry. Nothing can distress me more than to be obliged to notice what I conceive to be somewhat improper in the conduct of so respectable a body. Gentlemen will reflect how difficult it is to remove error when once the passions are engaged in the discussion; temper and coolness are necessary to complete what must be the work of time. It cannot be denied but that the present constitution is imperfect; we must, therefore, take time to improve it. If gentlemen are pressed for want of time, and are disposed to adjourn the session of Congress at a very early period, we had better drop the subject of amendments, and leave it until we have more leisure to consider and do the business effectually. For my part, I would rather sit till this day twelvemonth, than have this all-important subject inconsiderately passed over. The people have already complained that the adoption of the constitution was done in too hasty a manner; what

will they say of us if we press the amendments with so much haste?" (*Annals of Congress*, House of Representatives, 1st Congress, 1st session, August 15, 1789, col. 773.) Remarks on "Amendments to the Constitution" by Mr. Burke: ". . . I am very well satisfied that those that are reported and likely to be adopted by this House are very far from giving satisfaction to our constituents; they are not those solid and substantial amendments which the people expect; they are little better than whip-syllabub, frothy and full of wind, formed only to please the palate; or they are like a tub thrown out to a whale, to secure the freight of the ship and its peaceable voyage. In my judgment, the people will be gratified by the mode we have pursued in bringing them forward. There was a committee of eleven appointed; and out of the number I think there were five who were members of the convention that formed the constitution. Such gentlemen, having already given their opinion with respect to the perfection of the work, may be thought improper agents to bring forward amendments. Upon the whole, I think it will be found that we have done nothing but lose our time, and that it will be better to drop the subject now, and proceed to the organization of the Government." (*Annals of Congress*, House of Representatives, 1st Congress, 1st session, August 15, 1789, col. 774.)

Remarks on "Amendments to the Constitution" by Elbridge Gerry of Massachusetts: "The honorable gentleman from Virginia (Mr. Madison) stated, that if the proposed amendments are defeated, it will by the delay attending the discussion of doubtful propositions; and he declares this to partake of that quality. It is natural, sir, for us to be fond of our own work. We do not like to see it disfigured by other hands. That honorable gentleman brought forward a string of propositions; among them was the clause now proposed to be amended: he is no doubt ready for the question, and determined not to admit what we think an improvement. The gentlemen who were on the committee, and brought in the report, have considered the subject, and are also ripe for a decision. But other gentlemen may crave a like indulgence. Is not the report before us for deliberation and discussion, and to obtain the sense of the House upon it; and will not gentlemen allow us a day or two for these purposes, after they have forced us to proceed upon them at this time? I appeal to their candor and good sense on the occasion, and am sure not to be refused; and I must inform them now, that they may not be surprised hereafter, that I wish all the amendments proposed by the respective States to be considered. Gentlemen say it is necessary to finish the subject, in order to reconcile a number of our fellow citizens to the Government. If this is their principle, they ought to consider the wishes and intentions which the convention has expressed for them. . . ." (*Annals of Congress*, House of Representatives, 1st Congress, 1st session, August 15, 1789, col. 768.)

Remarks on "Secretary of Treasury's Report" by James Jackson of Georgia: "I say, sir, whatever might be the happy effects of speculations in other countries, it has had the most unhappy and pernicious effects in this. Look at the gallant veteran, who nobly led your martial bands in the hour of extreme danger, who patriotic soul acknowledged no other principle than that his life was the property of his country and who evinced it by his repeated exposures to a vengeful enemy. See him deprived of those limbs which he sacrificed in your service! And behold the virtuous and tender wife sustaining him and his children in the wilderness, lonely, exposed to the arms of savages, where he and his family have been driven by this useful class of citizens, these speculators, who have drained from him the pittance which a grateful country had afforded him, in reward for

his bravery and toils, and a long catalogue of merits. Nor is their insatiable avarice yet satisfied, while there remains a single class of citizens who retain the evidence of their demands upon the public; the State debts are to become an object for them to prey upon, until other citizens are driven into scenes of equal distress. Is it not the duty of the House to check this spirit of devastation? It most assuredly is.” (*Annals of Congress*, House of Representatives, 1st Congress, 2d session, January 28, 1790, col. 1136.)

Remarks on the “Rule of Naturalization” by Mr. Hartley of Pennsylvania: “Mr. Hartley said, he had no doubt of the policy of admitting aliens to the rights of citizenship; but he thought some security for their fidelity and allegiance was requisite besides the bare oath; that is, he thought an actual residence of such a length of time as would give a man an opportunity of esteeming the Government from knowing its intrinsic value, was essentially necessary to assure us of a man’s becoming a good citizen. The practice of almost every State in the Union countenanced a regulation of this nature; and perhaps it was owing to a wish of this kind, that the States had consented to give this power to the General Government. The terms of citizenship are made too cheap in some parts of the Union; to say, that a man shall be admitted to all the privileges of a citizen, without any residence at all, is what can hardly be expected. The policy of the old nations of Europe has drawn a line between citizens and aliens; that policy has existed to our knowledge ever since the foundation of the Roman empire; experience has proved its propriety, or we should have found some nation deviating from a regulation inimical to its welfare. . . .If he [the gentleman from S. C.] had gone no further in his motion than to give aliens a right to purchase and hold lands, the objection would not have been so great; but [he proposes that] alien will be entitled to join in the election of your officers at the first moment he put his foot on shore in America, when it is impossible from the nature of things, that he can be qualified to exercise such a talent. . . .” (*Annals of Congress*, House of Representatives, 1st Congress, 2nd session, February 3, 1790, cols. 1147-1148.)

Remarks on the “Slave Trade” by Mr. Stone of Maryland: “Mr. Stone feared that if Congress took any measures indicative of an intention to interfere with the kind of property alluded to, it would sink it in value very considerably, and might be injurious to a great number of the citizens, particularly in the Southern States. He thought the subject was of general concern, and that the petitioners had no more right to interfere with it than any other members of the community. It was an unfortunate circumstance, that it was the disposition of religious sects to imagine that they understood the rights of human nature better than all the world besides; and that they would, in consequence, be meddling with concerns in which they had nothing to do. . . .” (*Annals of Congress*, House of Representatives, 1st Congress, 2nd session, February 11, 1790, col. 1227.)

Remarks on the “Slave Trade” by Mr. James Jackson of Georgia: “I apprehend, if through the interference of the General Government the slave trade was abolished, it would evince to the people a disposition towards a total emancipation, and they would hold their property in jeopardy. Any extraordinary attention of Congress to this petition may have, in some degree, a similar effect. I would beg to ask those, then, who are desirous of freeing the Negroes, if they have funds sufficient to pay for them: If they have, they may come forward on that business with some propriety; but, if they have not, they should keep themselves quiet, and not interfere with a business in which they are not interested. They may as well come forward and solicit Congress to interdict the West India trade, because it is injurious to the morals of mankind. . . .But, sir, is the whole

morality of the United States confined to the Quakers? Are they the only people whose feelings are to be consulted on this occasion? Was it they who formed the Constitution? Did they, by their arms or contributions, establish our independence? I believe they were generally opposed to that measure. . . . But why do these men set themselves up in such a particular manner against slavery? Do they understand the rights of mankind, and the disposition of Providence, better than others? If they were to consult that book, which claims our regard, they will find that slavery is not only allowed but commended. Their Savior, who possessed more benevolence and commiseration than they pretend to, has allowed of it; and if they fully examine the subject, they will find that slavery has been no novel doctrine since the days of Cain. . . .” (*Annals of Congress*, House of Representatives, 1st Congress, 2nd session, February 11, 1790, cols. 1228-1229.)

Remarks on the “Slave Trade” by Mr. Tucker: “Mr. Tucker was sorry that the petition had a second reading, as he conceived it contained an unconstitutional request. . . . He feared the commitment of it would be a very alarming circumstance to the Southern States; for if the object was to engage Congress in an unconstitutional measure, it would be considered as an interference with their rights, the people would become very uneasy under the Government, and lament that they ever put additional power into their hands. He was surprised to see another memorial on the same subject, and that signed by a man [Benjamin Franklin] who ought to have known the Constitution better. He thought it a mischievous attempt, as it respected the persons in whose favor it was intended. It would buoy them up with hopes, without a foundation, and as they could not reason on the subject, as more enlightened men would, they might be led to do what they would be punished for, and the owners of them, in their own defence, would be compelled to exercise over them a severity they were not accustomed to. Do these men expect a general emancipation of slaves by law? This would never be submitted to by the Southern States without a civil war. Do they mean to purchase their freedom? He believed their money would fall short of the price. But how is it they are more concerned in this business than others? Are they the only persons, who possess religion and morality?” (*Annals of Congress*, House of Representatives, 1st Congress, 2nd session, February 11, 1790, col. 1240.)

Remarks on the “Bank of the United States” by Elbridge Gerry of Massachusetts: “The gentleman from Virginia [Mr. James Madison] has endeavored to support his interpretation of the Constitution by the sense of the Federal Convention; but how is this to be obtained? By applying proper rules of interpretation? If so, the sense of the Convention is in favor of the bill; or are we to depend on the memory of the gentleman for a history of their debates, and from thence to collect their sense? This would be improper, because the memories of different gentlemen would possibly vary, as they had already done, with respect to those facts; and if not, the opinions of the individual members who debated are not to be considered as the opinions of the Convention. Indeed, if they were, no motion was made in that Convention, and therefore none could be rejected for establishing a National Bank; and the measure which the gentleman has referred to was a proposition merely to enable Congress to erect commercial corporations, which was, and always ought to be, negatived.

The gentleman’s arguments respecting the sense of the State Conventions have as little force as those relating to the Federal Convention. The debates of the State Conventions, as published by the short-hand writers, were generally partial and mutilated; in this, if

the publications are to be relied on, the arguments were all on one side of the question, for there is not in the record which is said to contain the Pennsylvania debates a word against the ratification of the Constitution; although we all know that arguments were warmly urged on both sides. The gentleman has quoted the opinions, as recorded in the debates of this State and North Carolina, of two of our learned judges; but the speech of one member is not to be considered as expressing the sense of a Convention; and if it was, we have no record which can be depended on of such speeches. Indeed, had even this been the case, the Union was at that time divided into two great parties, one of which feared the loss of the Union if the Constitution was not ratified unconditionally, and the other the loss of our liberties, if it was. The object on the other side was so important as perhaps to induce the parties to depart from candor, and to call in the aid of art, flattery, professions of friendship, promises of office, and even good cheer; and when these failed, the *federal Bull* was published, denouncing political death and destruction of the antifederal infidels. Under such circumstances, the opinions of great men ought not to be considered as authorities, and in many instances could not be recognised [sic] by themselves. (*Annals of Congress*, House of Representatives, 1st Congress, 3rd session, February 7, cols. 2004-2005.)

More Remarks on the “Bank of the United States” by Mr. Gerry: “The gentleman from Virginia has urged the dangerous tendency of a liberal construction; but which is the most dangerous, a liberal or a destructive interpretation? The liberty we have taken in interpreting the Constitution, we conceive to be necessary, and it cannot be denied to be useful in attaining the objects of it; but whilst he denies us this liberty, he grants to himself a right to annul part, and a very important part of the Constitution; and if gentlemen have a right to make such rules, they have an equal right to make others for enlarging the powers of the Constitution, and indeed of forming a despotism. Thus, if we take the gentleman for our pilot, we shall be wrecked on the reef which he cautions us to avoid. [Referring to the “usage of Congress” under the Confederation, Gerry noted “a liberal construction.” After calling Madison to task on the issue of removal of executive officers, Gerry continued his remarks.]

. . . The only danger from our interpretation would be the exercise by Congress of a general power to form corporations; but the dangers resulting from the gentleman’s interpretations, in the cases alluded to, are very different; for what may we not apprehend from the precedent of having assumed a power on which the Constitution was silent; and from having annexed it, to the Supreme Executive? If we have this right, in one instance, we may extend it to others, and make him a despot. [For his part, Gerry proclaimed “confidence in the wisdom, integrity, and justice of the Chief Magistrate.”] It must therefore be evident that the usage of Congress, in both instances is against the gentleman, and that the dangers from the precedent of establishing a bank are comparatively small to those resulting from the other measures referred to.” (*Annals of Congress*, House of Representatives, 1st Congress, 3rd session, February 7, 1791, cols. 2002-3-2004.)

Remarks on “The Public Debt” by Mr. Baldwin of Georgia [following Mr. Mercer of Virginia]: “But accumulate an enormous public debt, and let this Government Government be called to the odious task of applying to the individual citizens for a heavy tax, and you will then see the structure of the Government to the greatest possible disadvantage. It is better suited to any thing than that. It ought to be directed to such a

use with the most extreme and cautious reluctance. . . .To raise a heavy tax, there ought to be a similarity in the circumstances of the persons on whom it is to operate. If the burden is not equal, it must be in some parts cruelly oppressive. The first object, in attempting a heavy tax is, to be sure that it will be equal; otherwise, some will be crowded to their destruction, while others are existing in prosperity, and feel no burden. There is such a dissimilarity in the interests and circumstances of the extensive country over which the Government is to operate, that it will be scarcely possible to adjust heavy burdens to any tolerable equality. The whole current of experience in society forbids the expectation. Even some of the states had found their limits too large to preserve the equality in their own revenue systems. And to suppose that this Government should be able to bear burdens in the same proportion to its size, without intolerable oppression, is founded neither in good sense nor experience. [Mr. Baldwin goes on to complain about a disconnect between the representatives of the people, the ones who will lay the taxes, and the people themselves. “The love of power and property are two fierce passions of nature, which if they can be indulged without any loss of reputation, or even without the fear of detection, will be sure, in all countries, to make havoc of the happiness and rights of men. . . .”]

Mr. B. said, the general assumption, not only reconciled very ill to the nature of the Government, as he had shown, but it also reconciled as illy to the circumstances of the country. It was, in its very nature, designed to draw off business and property from the different States, and unite them in one great vortex at the centre. This is an evil which appears to have been most cautiously guarded against in every part of the Constitution. How many checks and guards show themselves every part, to keep up the equality of States, to prevent the combination of strong interests in giving special advantages, and that there should be no preference for the increase of the ports of one State over those of another. No one can look over the principles of the Union without seeing this to be the great and striking feature of the whole States possessing equal powers, feeling and being strongly attached to their own advantages, and, like individuals in forming a society, giving them up with reluctance, and only such as appeared indispensable.

The present object seems to be to construct a huge, gigantic organization at the centre, which shall collect all the vital fluids, to strengthen and enlarge those parts, without any means of propelling a circulation in return to keep up the principles of life in the extremes of the body. The very figure is monstrous. . . .

The circulating medium in society has been aptly styled the oil of the machine which lubricates all its motions. Adopt a system which shall entirely prevent the supply of it, and the motions cannot be easy. . . .

Mr. B. proceeded to take a view of the subject on the grounds which the gentlemen in favor of the proposition had themselves taken, that the general assumption must intend either taking up all the debts of the States, whatever may have been the cause for which they were contracted, or there must be some process to distinguish those that were contracted for the purpose of carrying on the war.” (*Annals of Congress*, House of Representatives, 1st Congress, 2nd session, March 30, 1792, cols. 517-519.)

Remarks on “The Judiciary” by Mr. Pinckney of South Carolina: “It is an established maxim, and I hope will forever remain so, that the Legislature and Judiciary should be as distinct as the nature of our Government will admit; that is, that the same men shall not, in a deliberative capacity, agree to measures which they shall afterwards have a right to

explain and decide in a judicial one. The reason is obvious; that the Judges should, in a calm and unprejudiced manner, explain what the law literally is, and not what it ought to be; that they should not be allowed to carry upon the bench those passions and prejudices which too frequently prevail in the adoption and formation of legislative acts and treaties, and which never fail to give an irresistible bias to the opinions of a Judge who has been concerned in making them. The truth of this reasoning is now so generally conceded, that here is not a man who knows anything of government that will attempt to controvert it, the Constitutions of all the States have sanctioned it, and if the opinions of the Federal Convention ought to have weight, they so strongly insisted upon it as even to refuse, after repeated trials, associating the Judges with the President in the exercise of his revisionary power. [Mr. Pinckney then quotes a an Eastern judge from his charge to grand juries.]

Wise and virtuous men have thought and reasoned very differently respecting Government; but in this they have at length very unanimously agreed, viz: ‘that its powers should be divided into distinct independent departments, the Executive, Legislative, and Judicial. But how to constitute and balance them so as best to guard against abuse and fluctuation, are points on which there continues to be a very great diversity of opinion, and on which we all have as yet much to learn. The Constitution of the United States has therefore instituted these departments, and much pains have been taken so to form and define them, that they may operate as checks upon the other, and keep each within its proper limits [including “the rights reserved by the Constitution to the people.”]’ (*Annals of Congress*, Senate, 6th Congress, 1st session, March 6, 1800, cols. 97-98.)

Remarks on “Amendment to the Constitution” by Mr. G. Griswold: “The honorable gentleman from Virginia (Mr. Randolph) acknowledged his very great respect for the worthies who formed the Constitution---that our Union was a Confederation of States; and the result of a compromise between the several different States, as States, and that he was the last man who would consent to take from the smaller States any right or advantage secured to them by this article of the Constitution. Should I be able to show that the alteration now proposed would materially affect the interest of the smaller States in the choice of President of the United States, I trust that gentlemen, agreeable to their public declarations, will vote with me against the resolution. The Constitution of the United States is a compact formed by the several States to and for the general good. It is well known to have been produced by a spirit of compromise among the several States; that much difficulty arose in its formation; and, perhaps, in no one article of the Constitution, could there have arisen greater jealousies between the larger and smaller States than that pointing out the mode of electing the Chief Magistrate. . . .” (*Annals of Congress*, House of Representatives, 8th Congress, 1st session, October 28, 1803, col. 516.)

Remarks on “Amendment to the Constitution” by Benjamin Huger of South Carolina: “This gentleman [from Virginia, Mr. Clopton] seems, for the moment, to have forgotten that the Government under which we live is formed upon Federative no less than Republican principles; and though wishing to introduce an important alteration in our national compact, puts the compact itself, the spirit with which it was formed, and the vital principles upon which it was established, entirely out of the question. He takes an abstract view of the subject, as if it had no connection whatever with other parts and principles of the compact, carries us back to a state of nature, and seems to regard it as a radical error in the Constitution. . . .He talks to us about the rights of man in a state of

nature, of the origin of the social compact, of the foundation upon which all Governments ought to be formed, viz: the will of the people; and, drawing his inference from these pure, unmixed, and abstract principles and theories, thinks whilst he shows us what would be the most eligible mode of providing for the Executive branch of the Government to be formed for the protection of the people, just rising for the first time into political existence, he proves triumphantly and unanswerably that such too ought to be the mode adopted by a Union like ours, composes of so many distinct and independent sovereignties, of so old a date, and having such various, distinct, and complicated views and interests. Let me not, however, be misunderstood; I am not finding fault with or condemning in the abstract, the principles laid down by the honorable member. Still less would I be understood to deny that the Constitution has been formed upon the broad basis of the public good, and the will of the people of the respective States. I well know, and it is for that very reason I feel so sincere an attachment to it, that the Federal compact is founded upon liberal and genuine republican principles; but let not the gentleman in the meantime forget that the Government under which we live is of a federative nature. . . .

Let me ask, what is the Constitution of the United States? From what sources did it originate? In what manner, by whom, from what causes, upon what principles, in what spirit, was it originally adopted? Is it not a federative Government, agreed upon between thirteen distinct and separate sovereignties, for their mutual defence and protection? Is it not, in its essence, a compact, a bargain, a perfect compromise of the interests, powers, influence, and rights of a number of independent societies, who have united for their common advantage, and who are no further bound or pledged to each other than by the articles and conditions in the written contract---the Constitution---which has been acceded to by them all? And is it not upon the spirit, in which the conditions of that compact was originally formed, that every amendment to, or alteration in it, should be predicated? These questions must all be necessarily answered in the affirmative. The inhabitants of these United States did not then, in forming the Federal Constitution, act in mass as one people, nor can the abstract principles borrowed from different authors on the primeval formation of political societies apply to them. The worn-out-theory of a number of insulated beings assembled together in an extensive plain, and led by their common wants and necessities to form themselves into a body politic, cannot be applied to the Federal Government, nor can inferences drawn from notions of this kind afford correct grounds upon which to build support alterations and amendments in the national compact.

Thirteen Colonies, at this time composing the United States, spread over an extensive continent, having been threatened with a privation of their rights and liberties, were induced to form a league, offensive and defensive, and to unite for their mutual and common defence. After a bloody though not inglorious contest, they severed themselves forever from the mother country, and they became and were acknowledged as thirteen independent and distinct Republics or Sovereignties. Under what gloomy and critical circumstances they found themselves for some few years after the close of the war, it would be superfluous for me to detail to this House. Let it suffice to say, that their situation was such as seriously to alarm all classes of our citizens, and to threaten complete anarchy, perhaps political dissolution, unless some bond of union, better adapted to their wants and necessities than the original Confederacy, could be established. That band of worthies therefore, as they have been aptly styled, were sent

from twelve, I believe, of the States, who, having met together in convention, ultimately formed that compact, which, having been since ratified by all the States, now happily unites as in one great Union. But by whom and by what authority were the members of the Convention delegated? Whom did they represent when assembled together? They were not, it must be acknowledged, even in the degree that the members of this House are, the immediate representatives of the people. . . . They were not selected by the people at large, nor did they represent them in their original and individual capacities. No, sir, they were sent to represent the interests and views of thirteen distinct communities; they were appointed by the governments of the different States, and they held their authority from the States, as States, and not from the people of the United States generally and indiscriminately. . . .

It is not necessary for me here to detail the difficulties, which opposed themselves to the formation and adoption of any compact, more efficient than that of the old Confederacy. . . . Every one knows, however, that difficulties without number did present themselves, and the Convention was more than once on the eve of dissolving itself without agreeing upon anything. It is a fact equally well ascertained, that the great bone of contention, the point of all others which it was the most difficult to adjust, was the jarring interests and opposite pretensions of the large and small States [resolved on July 16, 1787 with the representation of the states in the Senate and then not to be deprived of equal suffrage there]. . . .

The great outlines of the Constitution were, I presume, Mr. Speaker, agreed on without much difficulty, and pretty generally acquiesced in. It was understood on all hands that the Government should be formed on republican principles--that the great departments of which it must necessarily consist should be distinct, and, as far as possible, independent of each other. The difficulty was in the detail, and more especially in respect to the quantum of State sovereignty which was to be yielded to the Union, and the degree of influence which was to respectively given up or retained by the large and small States. Both were at that time independent of each other, and perfectly equal in their rights and sovereign powers, though very unequal in size, strength, and population. The basis of a republican government, however, is no doubt the will of the people; and that will could only be expressed and brought into action in a country so extensive as ours, by representation and election. How then was that representation to be apportioned and those elections organized? To adopt the most common and principle in the abstract, and allow the representation to depend entirely upon numbers. . . . would have been to put an end at once and at one blow to all State sovereignty, to amalgamate the inhabitants of thirteen free and independent Republics into one common mass, and to place the smaller and more feeble completely and forever at the mercy of the more powerful and larger States. . . . But was this done? Was such a result desirable? Would the States at that day have acquiesced in any similar arrangement? Most certainly not; and consequently, a totally different modification and compromise took place. The Legislative department of the Government was divided into two different branches---a Senate and House of Representatives. In the latter, it is true, the principle of numbers and population was, to a certain degree adopted. . . . In the first place, a certain class of people, who unfortunately existed in one portion of the Union, though not allowed any immediate interest themselves in the Government, and regarded rather as property than as beings entitled to any civil or political rights, were included at a certain ratio in the calculation of the

number of Representatives who were to have a seat in this House. This difficult and knotty point happily settled, it was in the second place determined that the members of this body [the Senate], though understood to be the immediate representatives of the people, could not be elected by the people of the United States at large, as one people. . . .As a partial check, therefore, as some little safeguard against this overweening power on their part, the federative principle was completely retained in its utmost purity, and without the smallest modification, in the other branch of the Legislature, the Senate; and not only an equal vote and representation is given to all the States, however large or however small, but the members who compose the Senate are not even to be elected by the people of the several States, but are to be chosen by, and immediately to represent the government of each individual State. . . .” (*Annals of Congress*, House of Representatives, 8th Congress, 1st session, October 28, 1803, cols. 520-524.)

Appendix F. Dr. Wood, Book Reviews from the *Montgomery Advertiser* unless otherwise noted.
(Permission to publish granted by Wanda Lloyd of the *Advertiser*)

1. James M. McPherson, *For Cause & Comrades: Why Men Fought in the Civil War*. New York: Oxford University Press, 1997. 237 pages. \$17.50.

Montgomeryans with an interest in the South and the Civil War need to read James M. McPherson's *For Cause & Comrades: Why Men Fought in the Civil War*. They need to do so to dispel some popular albeit historically inaccurate views that continue to be held and expressed in letters to the *Montgomery Advertiser* especially as relates to the origins of the conflict of 1861-1865 (i.e., slavery was the single issue) and the nature of the Confederate cause. Looking at both sides, the Blue and the Gray, Prof. McPherson (one of the most distinguished of American historians) presents a much more balanced and objective analysis that also brings to the forefront other neglected issues that made war all but inevitable.

Having already defended the South in *Battle Cry of Freedom* (1988), the former "fought to protect their constitutional liberties against the perceived northern threat to overthrow them" based on a "concept of republicanism had not changed in three-quarters of a century. . .", McPherson's emphasis upon conflicting ideologies and constitutional issues is further elaborated in *For Cause & Comrades*. In what is the most exhaustive analysis yet of Civil War causation, McPherson's "findings and interpretations. . .rest on [his] reading of letters and diaries in 574 manuscript collections in 22 research libraries and in private possession, plus diaries or sets of letters that were edited and published in 214 books and 403 periodical articles. . . ." All together, some "25,000 to 30,000 letters helped build up the composite portrait of Civil War soldiers" presented in *For Cause & Comrades*. (p. 183)

The origins of this particular book go back to a visit undertaken by Prof. McPherson with a history class to the Gettysburg battlefield in 1976. Remembering Pickett's charge of 13,000 Confederate soldiers "under artillery and then rifle fire almost every step of the way," the question arose as to why. "What made these men do it?" (p. 3)

While defense of home, family and personal honor and religion all played parts in men's motivation on both sides, his chapter 8 on "The Cause of Liberty" is most instructive because it is the most obscured aspect of the Confederate cause. To quote McPherson, "The profound irony of the Civil War was that, like Davis and Lincoln, Confederate and Union soldiers interpreted the heritage of 1776 in opposite ways. Confederates professed to fight for liberty and independence from a tyrannical government. . . ." (p. 104)

While the defense of slavery was avowed by some Confederates, "most Southerner volunteers believed they were fighting for liberty as well as slavery." (pp. 19, 20) "Southern recruits waxed most eloquent about their intention to fight against slavery than for it. . .that is, against their own enslavement by the North."

As one South Carolinian put it, "Sooner than submit to Northern slavery, I prefer death." (p. 21) "If we should suffer ourselves to be subjugated by the tyrannical government of the North, our property will be confiscated [sic]. . . & our people reduced to the most abject bondage & utter degradation." Thus, this Virginia private continued, "every Southern heart must 'respond to the language of the great Patrick Henry in the days of '76 & say give me Liberty or give me death.' " (ibid.)

In quantifying Southern opinion on the Civil War, McPherson concludes as follows: "It would be wrong, however, to assume that Confederate soldiers were constantly preoccupied with this matter [slavery]. In fact, only 20 percent of the sample of 429 soldiers explicitly voiced proslavery convictions in their letters or diaries." (p.110) Moreover, "Patriotic and ideological convictions were an essential part of the sustaining motivation of Civil War soldiers." (p. 114)

Several other points deserve mention here. The first is that "Nonslaveholding farmers are underrepresented in the Confederate sample." (p. ix) Also, "More than 90 percent of white Union soldiers and more than 80 percent of Confederate soldiers were literate. . . ." (p. 11) Finally, "There is less emphasis on these [internal social-class] tensions than in recent scholarship" (as in Fred A. Bailey's work, *Class and Tennessee's Confederate Generation* [1987]). While anti-Confederate sentiment was expressed, McPherson notes, "The soldiers who felt this way furnished a disproportionate number of deserters and skulkers. . . according to the letters of highly motivated volunteers." (pp. 102-103).

To Prof. McPherson great credit is due for challenging long-accepted myths about the South, the North, and the Civil War. Every one, Southerner or Northerner, Confederate or Yankee, or neither, needs to buy *For Cause & Comrades* (and McPherson's other books if they can afford it). There was more to the South than slavery and race after all and to understand the Civil War one needs to look above rather than below the Mason-Dixon line.

2. *Slavery, the Civil Law, and the Supreme Court of Louisiana*. By Judith K. Schafer. Baton Rouge: Louisiana State University Press, 1994. Pp. xix, 389. Illustrations, maps. \$35.00. (*Louisiana History*.)

The institution of slavery in America, later confined to the Southern United States, conjures up all sorts of demonic and inhumane images. We've all seen the pictures of slave ships on the infamous Middle Passage with their densely packed cargoes or of slaves on the auction block or in varieties of cruel restraint (as shown in the book under review). These scenes were certainly a part of slavery in the America as Harriet Beecher Stowe's *Uncle Tom's Cabin* continues to remind us.

As with any history, there is always more to the story and it is the other side of slavery that Prof. Judith K. Schafer delineates in detail in her study. This is not to say that the dark side is ignored by any means. It is fully presented in all of its shocking and disgusting reality (including illicit relations, concubinage, and extreme maltreatment by slaveowners and slavetraders). Slavery, however, was truly a "peculiar institution" with acts of kindness, loyalty, and humaneness also characterizing master-slave relations. Although defined as property by law, slaves often emerged as persons both in the courts and to some masters. Again, the story is a mixed one not only in Louisiana but throughout the South.

In terms of the law, Louisiana was different given its earlier occupation by Spanish and French settlers. Despite their status, slaves could sue for freedom at least until a law of 1857 forbade it. Ironically, Louisiana slaves who sued for their freedom benefitted from a very strict construction of Louisiana law by state supreme court justices which enlightened attitude was not only contra public opinion in the state but also against the court's well known habit not known to follow precedent. These anomalies are not explained and need to be explored further (perhaps the author will do yet another book to explain these and other aspects of slave law noted below).

The book itself is a discussion of some 1,200 appeals' cases which the author conveniently categorizes by subject into eleven (11) chapters. Numerous examples of the different kinds of cases are provided in each chapter thus giving the reader numerous facts as well as the author's interpretation. The writing is generally clear and straightforward although some awkward passages may be found. These appear to be the result of the subject itself rather than any fault with the writer. Legal cases are notoriously difficult to put into clear English as anyone knows who has read them.

Another bonus for the reader, and more kudos for the author, are discussions of the historiography of slave law in the South as a whole and of the various legal traditions (Roman, Spanish, French, English, and American). With respect to the former, readers can choose between the unfair slave law thesis of Michael J. Hindus or the fair slave law view of A.K. Keir Nash and Arthur F. Howington. (See pp. 59-60) Prof. Schafer does not enter this procedural debate since her cases are those on automatic appeal to the Louisiana Supreme Court. In the case of emancipation appeals, most were granted with one requirement interestingly enough being the good character of the slave involved. Those with bad character were not emancipated.

While the legal aspects of Louisiana slave law are fully revealed (Prof. Schafer is a law professor), not all questions are answered. For example, how were slaves able to obtain and afford lawyers in the first place? Why was the Louisiana Supreme Court so suspicious of the state legislature and vice-versa and what political ideologies determined their respective stances? Is there a lesson in political science here?

This reviewer would also have liked to see addressed those cases involving slaves who traveled to free states and returned to Louisiana and other slave states. Prof. Schafer's view that these were non-controversial in their denial of freedom (residence in non-slave states was unanimously dismissed as a foundation) raises questions about the Dred Scott decision of 1857 and the hostile Northern reaction to it. Was Justice Roger B. Taney right after all?

Aside from the caveats noted above, this is another good book from one of the best university presses around. Prof. Schafer's ten years of hard work are clearly evident and she is to be congratulated for a job well done but not completely finished.

3. *Confederate Homefront: Montgomery During the Civil War.* By William Warren Rogers, Jr.
Tuscaloosa and London: University of Alabama Press, 1999. Pp. xi, 156. \$29.95.

Reviewers are supposed to be critical. If this is not the case here, that's because there is not much to criticize about Confederate Homefront. So, like Brutus, I come not to bury Prof. Rogers but to praise him (for the most part). Thoroughly researched, well-written (and it is an easy and an enjoyable read), and ably produced and edited (no typos or serious errors jumped off the page), this excellent study fills an important void in Confederate history. While Montgomery as the temporary capital of the CSA has received due attention by William C. Davis, the history of the city (really town is more like it) for the rest of the Civil War has not been fully told.

Beginning with a sketch of Montgomery on the eve of the Civil War, Prof. Rogers proceeds topically and chronologically to depict life in Montgomery in its progress from provisional capital to military outpost to important transportation and hospital center and finally to its surrender and occupation in 1865. In concise chapters, he not only explains the big questions of why Montgomery became the early center for the Confederacy and why the permanent capital was removed to Richmond, but relates the course of the war and its increasingly devastating economic impact upon the people (white and black and men and women) and government of Montgomery. Along the way and at each stage of development, Prof. Rogers pauses to chart daily life as well including the good, the bad, and the ugly (apologies to Clint Eastwood here). While many arts and entertainment were available (and these are covered in detail)

along with numerous churches (Montgomeryans then and now are very religious), so too were the bars and brothels and an underclass of whites and blacks who constantly created problems for the local authorities.

The treatment here is fair and objective with all segments of Montgomery society being represented and analyzed except for Jewish residents (for which there is no listing of them in the index either). That Montgomery was segregated by class as well as race and that it was patriarchal should not excite surprise. Having studied the antebellum history of Augusta, Georgia, I can vouch for the book's claim as being a microcosm of Southern life. Accompanying photographs and maps complement the volume with the latter being very useful in locating the major landmarks and providing the reader with a sense of location.

While some sources are not included in the bibliography (to be found in *The Women's War in the South*), the major criticism is Prof. Rogers' treatment of secession itself. If Montgomeryans supported the Confederacy almost unanimously and until the end, which loyalty is a central theme of the book, the reason for this may have been the revolutionary republicanism that Jefferson Davis and other Confederates constantly invoked rather than the issues of slavery and race that inform Prof. Rogers' viewpoint and that of historical establishment in general. On this point, Prof. Rogers could have benefitted from the recent works of James M. McPherson, George C. Rable (his political study of the Confederacy), Marshall De Rosa, Eugene D. Genovese, and especially Michael Morrison's, *Slavery and the American West: The Eclipse of Manifest Destiny and the Coming of the Civil War* (1997) that offer some new perspectives about the South, secession, and the origins of the Civil War.

4. Charles G. Waugh and Martin H. Greenberg, eds., *The Women's War in the South*. Nashville, Tennessee: Cumberland House Publishing House, Inc., 1999. \$16.95.

The conflict we know as the Civil War (or the War between the States or the War of Northern Aggression or the War for Black Freedom) continues to fascinate us today more than a hundred years later as amply demonstrated by the continuing stream of books that publishers issue forth year after year. While political-military studies continue to predominate, addressing such key issues as origins and causation (could it have been avoided or not?) and why the North won or why the South lost, the role of women has rightfully attracted more attention of late since the Feminist movement of the 1970's. By no means a new subject, the gender aspects of Civil War women's history have been scrutinized and elaborated as never before by a host of women scholars ("herstorians") armed with a modernist perspective and seeking new and more relevant insights. If the research is impressive, and it is, the conclusions reached are another matter altogether. More about this later.

As a convenient anthology of essays by noted authors in the field (new and old) combined with first-hand recollections and contemporary letters, *The Women's War in the South* admirably fulfills its basic purpose of introducing would-be readers to a women's perspective on the Civil War. Printed in paperback at an affordable price and handsomely designed, it is a book that should appeal to those desiring to know more about this particular subject (the bibliography is very useful in this regard as is the recent historiographical analysis contained in the introduction). In chronological terms, readers are taken from John Brown's raid in 1859 through the secession movement (about which different views, pro and con, are voiced) to the inauguration of Jefferson Davis in 1861 (which selection will interest Montgomeryans) and on through the actual and prolonged fighting (the myth of a short war was just that) to the end in 1865 including the assassination of Abraham Lincoln (with the trial of Mrs. Surrat being the focal point).

Geographically, most of the South is covered with women's experiences being presented from Virginia, Georgia, Mississippi, South Carolina, Alabama, the District of Columbia, Arkansas territory, and "Confederate Appalachia." Within these areas, urban and rural life (on plantations and farms as well as on the frontier) are depicted. Socially and economically, the status of the women range from the wives of planters, farmers, merchants, ministers, and military officers to that of schoolgirl and nurse. The southern wives of Yankees (oops!, Northerners, are also included).

While some women actually enlisted and fought (see "Sally Tompkins, Captain, Confederate Army") and some served as Confederate spies (see "Mrs. Greehnow, Confederate Spy"), the role of the majority of Southern women was more limited though by no means unimportant. Whether as nurses or fiancées or sisters or spouses, women in the South directly experienced the effects of war through the loss of loved ones on the battlefields and through the many trying privations endured on the home front. Far from being passive participants in the conflict, they proved to be sources of strength for the Confederacy and believers in the Southern cause. The editors' preface makes this clear: "They kept things going at home" and "The war was something that Southern women supported patriotically." Forced into newer roles—as heads of households and providers and buyers and sellers and factory or government workers—the "manner in which women" met these challenges "was the first step toward equality." "Women emerged from the wreckage and carnage of the war into a new society, where a woman's place was not always confined to the home." As we are reminded, too, "In addition to the hundreds of thousands of men who died in the war, untold numbers of women lost their lives to disease, starvation, and battle."

Although billed as a women's history, there is much else in the volume to inform readers. For example, there are interesting sketches of prominent personalities like Robert E. Lee, Jefferson Davis, John Brown, and Abraham Lincoln as well as varied views about secession and secessionists and abolitionists. Also included are vignettes about

daily life and about black-white relations. We even learn about "Dixie" being played in Washington for President Lincoln. Here is history at its best— up close and in raw form as recorded by contemporaries.

Aside from some typographical errors ("the" not "they" on page 148 and another one on page 153) and one editorial lapse (the 1800's are designated as the "eighteenth century" in the preface), the major flaw of the book is the inclusion of Prof. Catharine Clinton's overly aggressive and annoying introduction. In her desire to make nineteenth-century Southern women the direct precursors of those of the late twentieth-century, she exhibits too much of a bias that is presentist and ahistorical. To quote: "During the 1990's, Americans confront intellectual estrangement, divided over questions of sex and race. Isn't our society as embroiled with racial and sexual inequalities at the turn of the twenty-first century as were our forebears as they approached the twentieth?" "I keep hoping," she continues, "a new crop of southern women historians will throw off the shackles of their historical foremothers and sexualize their sights and create new ways of thinking about race and gender which include homosocial as well as heterosexual concerns, which is informed by taboo and desire as well as education and etiquette; some sort of matricidal mania would be a nice finish to the decade." Need any more be said.

Instead of engaging in polemics, Prof. Clinton (of Harvard University) and others might do something more useful like compiling an extensive database from letters, diaries, and reminiscences to quantify women's views about the Civil War and its origins as well as its impact upon their lives (just as Prof. James M. McPherson has done for the other gender in *For Cause & Comrades: Why Men Fought in the Civil War*). In the meantime, and despite the rhetoric, readers interested in the subject may well begin their historical inquiry with *The Women's War in the South*.

5. Jan Morris, *Lincoln: A Foreigner's Quest*. New York: Simon & Schuster, 2000. pp. 205. \$23.00.

Before April 14, 1865, there was Abraham Lincoln the person, lawyer, politician, husband, father, and president. After that date, and his assassination by John Wilkes Booth and his co-conspirators (who were not CSA agents), there is the Lincoln myth (really a collection of myths accreted over time). Ever since then, historians have struggled to separate fact from fiction (not easily done and not always successful). Ms. Morris' Abraham Lincoln represents one person's quest to get at the real Lincoln which she accomplishes most admirably (and at times even admiringly) and in abbreviated form with the text itself being less than two hundred pages.

How a foreigner became interested in Abraham Lincoln is charmingly revealed in an opening reminiscence by the author of her first visit to the U. S. in the 1950's. Entitled "Preconceptions: Grape Jelly," Ms. Morris recounts her distaste for "grape jelly, sealed in cellophane," then widely served in diners and coffee shops (all of which reminded her of things she "distrusted about America: synthetic, oversweet, slobbery of texture, artificially colored and unavoidable"). (pp. 11-12) In the 1950's, too, she was equally "antagonized" by "the myth of Abraham Lincoln." "It seemed to me. . . that the American people as a whole were almost deranged in their obsession with their sixteenth President, the country boy from the Middle West who, by overcoming the rebel South in the American Civil War, had ended American slavery and saved the Union. . . I could not evade him and his saintly image. He cropped up in all the conversations by which kind Americans tried to introduce me to the meaning of their country, and he seemed to stare down at me monumentally in every other public place, with a mixture of the judgmental, the homespun and the sanctimonious that I came to find intolerable." (p. 12.)

Although a work of historical synthesis (readers, however, can check her veracity against the more substantial 1995 biography of Lincoln by Prof. David Donald), the unique contribution of Ms. Morris is to combine her considerable literary talents with personal excursions to the sites where Lincoln was born, lived, and worked before coming President. Not only is geography presented and described, but interviews with modern locals add a little spice to the story both with respect to the myth and reality of Abraham Lincoln. While imaginary musings about what Lincoln might have done or said are problematical, they do make for interesting reading. Overall, the effect of this hybrid travelogue-history is to transport the reader back to the 19th century and to experience life with Lincoln.

Myth vs. Reality

The core of the book is the presentation of the real Lincoln both as to his life and his character. If the log-cabin myth is true, much about his early life is more imagined than real. His family and forbears were not "white trash" and his early life was not spent "as an idealized Huck Finn, shoeless but merry, manfully fetching water from the well, gazing into his Mom's eyes as she tells stories from the Bible, cheerfully helping Daddy to chop wood or pick pumpkins." (p. 26) There was an Ann Rutledge and Lincoln courted her but she was not his "lifelong love" whose early death changed him forever and made him morose (many things contributed to this dark side of Lincoln's nature). (pp. 46-47)

In actuality, "little Abe grew up sad." Besides the death of "his only brother when he was three and his mother when he was nine," Lincoln later endured the madness of a friend and then the death of his sister." "Cousins and neighbors collapsed all around him. His father appears to have drifted from one half-cock enterprise to another; bankrupts and ne'er-do-wells frequented his early years." Also, and significantly, "Most of his childhood he spent slaving away at menial family tasks." As he said later, "I know what it is to be a slave" (he was in fact indentured to his father). For the frontier, moreover, "he was lazy, always preferring a book to a hammer. . . ." A farmer he would not be. Still, if "tall and ungainly" and somewhat "odd," he was "strong and a keen wrestler" and "insatiably inquisitive"

despite little formal schooling. "People liked him. He was tough and self-reliant. . .and told stories." (pp. 27, 28-29, 30)

The hardships of Lincoln's early life made him very ambitious to say the least. After spending some time as a riverboat pilot, which occupation he liked and almost made a career (and what a "might have been" is this if it had happened), he found his calling as a lawyer and a politician in New Salem and perfected both along with a folksy, down-home demeanor that belied his quest for wealth and fame. To quote Ms. Morris, New Salem "seethed with all the intrigue, passion, rivalry, violence, mayhem and excitement of nineteenth-century politics. Caucuses struck deals, demagogues made accusations, [and] legislators indulged in public fisticuffs [this is Illinois not Alabama, by the way]. . . It was a fine school for a political tyro." Not much changed from 1837 to 1860. As "a flexible Republican materialist," he was still wheeling and dealing. "His record in Springfield was by no means unspotted. . . He proved to be adept at manipulation and subterfuge. . . His satires were sometimes malicious, sometimes slanderous, and once almost led him into a duel. Even his humor seems to have become more contrived." (pp.32, 39, 55, 81)

His marriage to Mary Ann Todd was calculated as well (though Ms. Morris overstates the case here). "It was a tangled courtship" born perhaps more of ambition than love. "Mary always mindful of her family glories, astutely realized that the young hick Lincoln would go far: Lincoln, with his mind on political advancement, saw advantages in Mary's wide and influential connections—and, for that matter, in being married at all." (p. 68) Besides being "horribly henpecked," Mary Todd made his life a misery. (p. 72)

Here, then, was the man that was elected president in 1860. The picture of this "middle-aged Lincoln" is not a very pretty one. Nor was it without consequence for secession and the coming of the Civil War when clarity not evasiveness was needed about the intentions of the Republican party and during the Ft. Sumter crisis. As we are informed, too, Lincoln was no abolitionist. He also shared the racism of his party (see Lerone Bennett's new book, *Forced into Glory: Abraham Lincoln's White Dream*). To quote Ms. Morris again, "He wished the Negroes no harm, but did not consider them his equals, intellectually or morally. He certainly did not believe in universal suffrage for black people. Ideally he would have liked the two races to live separately. . .preferably by the repatriation of American Negroes to the lands they had come from, or their settlement in new colonies of their own outside the United States." (p. 85)

So, why Civil War and what was it all about? It was not about slavery alone, but also about the nature of the union (the union of the states versus the states united). Alluding to the "absolute Lincoln," the author notes accurately that "it was he nevertheless who made a centralized power of the Republic. His only war aim, he said at first, was to keep the Union intact. . . He made it seem a mystic compulsion. . . But it was really what we now call nationalism, edging into imperialism: not patriotism, which merely means love of country, but a more grandiose notion of national identity. . . It was under his leadership that the United States became a singular compound noun. . . and Americans acquired a taste for militarism." (pp. 174, 198) For a foreigner, the lesson of the Civil War that still applies is America's ongoing "sense of superiority, and the instinct for interference that often goes with it." (p. 199) Thus, the final myth about Lincoln, i.e., that he only sought to preserve the union. In fact, he and the Republican party were more about remaking the union anew inspired not by the founders of the American republic but by the Romantic nationalism of the 19th century (see Garry Wills, *Lincoln at Gettysburg: The Words that Remade America* and Pauline Maier, *American Scripture: Making the Declaration of Independence*).

Informative as Ms. Morris' book is, and there is much more to be learned about Lincoln's religion (he was a church-goer but not a Christian), what he read (Aesop's Fables was a favorite), his difficulty with women, why he grew a beard, his one patent for lifting steamboats, his conduct as President, there are some interpretative lapses. As David Donald notes, Lincoln had a very keen interest in American history and his relationship with Joshua Speed was not homosexual in nature as claimed by Ms. Morris. (p. 44) Nor does Donald mention an incident with a prostitute during the Blackhawk War. (p. 49) More substantively, Ms. Morris misreads Lincoln's opposition to slavery. He was anti-slavery from the beginning and remained so consistently (keeping in mind, of course, that this meant the prevention of slavery's expansion into the territories to maintain it for whites, which squared with his racism, his continued belief in colonization for blacks, and his resolve that the Union as he reinterpreted it could no longer exist half-free and half-slave).

Ms. Morris' well-written and wonderfully descriptive book makes for easy reading at the same time that it serves as a useful and affordable introduction to the real Lincoln and the Civil War.

6. *Thomas Jefferson: Genius of Liberty*. New York: Viking Studio and the Library of Congress, 2000. xxii, 171. \$35.00.

Illustrated histories are usually too expensive to reach a wide audience. They often lack substance as well. Both of these problems are overcome with *Thomas Jefferson: Genius of Liberty*. Moderately priced at least by today's standards, it is at once accessible and informative. The 150 illustrations (prints, portraits, maps, facsimiles of letters and documents, and one daguerreotype of Isaac Jefferson, a Jefferson slave) not only detail Jefferson's public and private lives, they also provide a history of the early American republic from the Revolution to 1826 (the year of Jefferson's death).

Besides Jefferson's draft of the Declaration of Independence (along with the important changes that were made and left out of the printed document), readers are treated to political cartoons (and very partisan ones at that); views of Boston, Philadelphia, Williamsburg, Paris, and Washington, D.C. (or Federal City); sketches of Monticello with slave quarters; a slave ship showing stowage of its human cargo; drawings of plants and animals (reflecting Jefferson's botanical-scientific interests); and portraits of James Monroe, Aaron Burr, Soldat de Chene (Osage chief), Meriwether Lewis, and William Clark. Not every illustration can be mentioned here but there is much, much more to be savored visually in this most excellent volume.

If the illustrations make this book well worth its purchase price, so too do the accompanying essays by leading Jeffersonian scholars and experts in early national history. Included here, and rightfully so in light of recent revelations, is an essay by Annette Gordon-Reed detailing the relationship between Jefferson and his slave Sally Hemmings with whom it is believed he had one or more children (although, it should be noted, the DNA evidence does not absolutely verify Jefferson's paternity as news reports of this controversy first proclaimed). The other essays are equally critical of Jefferson and focus on his personal failings and contradictions (his expensive tastes and indebtedness while preaching frugality and avoidance of debt, for example) as well as the larger paradox between slavery and liberty.

To quote Garry Wills (pp. xiv, xv), "even on issues not directly related to slavery, Jefferson's credentials have come under increasing challenge [i.e., his policies toward Indians and his extreme libertarianism that made him "the son of the Parisian terror and the father of the Oklahoma City terror bombing" among other things]." To Wills' speculation that maybe "we misconceived his greatness" (p. xv), Joseph J. Ellis offers another and more balanced assessment: "The ultimate Jefferson legacy is the perpetual and unbridgeable gap between our ideals or dreams and the more fallible and sometimes sordid lives we live. Jefferson always speaks to us across the gap from the idealistic side. . . ." (p. 171)

Revisionism, however, can be good or bad depending upon its historical accuracy or not. In this case, Jefferson's consistent states' rights, strict construction, anti-Federal (nationalist), and libertarian political philosophy from 1787 to 1826 is largely ignored as evidenced by his advocacy of Nullification in the 1790's (as a legitimate "counter-right" on the part of states) and his long-standing opposition to the Supreme Court. As for slavery, it was not inconsistent with 18th century republican liberty as Prof. Edmund S. Morgan and many other scholars have reminded us. For that matter, not even all white males were eligible to vote during the early republic. In 1776, we forget, the founders of the American republic had indeed taken a revolutionary step in the larger context of world history. Whereas absolute governments were the rule at the time, the American republic and union of the states (not the states united) became instead (to paraphrase James Madison) a charter of power granted by liberty. The world had been turned upside down, almost! The people had become sovereign or at least some of them had.

For the reader desiring more historical information, a bibliography of secondary works and primary sources is included (although one important study is not listed, Garrett Ward Sheldon's *The Political Philosophy of Thomas Jefferson*). Jefferson's libertarian or anti-central government political views, including states' rights, federalism, and Nullification, can be conveniently accessed and followed in James Morton Smith, ed., *The Republic of Letters: The Correspondence between Thomas Jefferson and James Madison, 1776-1826* (3 vols., New York, 1995). Therein is to be found (but ignored in *Genius of Liberty*) a 1792 letter invoking the "counter-right" of states! This, by the way, is many years before the first Nullification movement in Virginia, 1798-1799. Madison, moreover, was in complete agreement with his fellow Virginian.

Based on an exhibition of the same name, *Genius of Liberty* is a most welcome addition to Jeffersonian scholarship despite its overly critical tone and approach.

7. Peter S. Onuf, *Jefferson's Empire: The Language of American Nationhood*. Charlottesville, Virginia: University Press of Virginia, 2000. \$28.00/17.50.

Thomas Jefferson's reputation is less than a glorious one these days. The same scenario applies to most other Southern founding fathers (except perhaps for James Madison) because they were slaveholders and thus guilty of hypocrisy (their liberty did not include African-Americans) and worse (in Jefferson's case, miscegenation with Sally Hemmings a female slave at Monticello although DNA evidence does not rule out others as possible and more likely fathers). As Jefferson's image has declined in popular esteem, those of John Adams and Alexander Hamilton have risen as indicated by a plethora of studies of these other founders of the American republic (see new biographies of Adams by Joseph E. Ellis and David McCullough and of Hamilton by Richard Brookshier). Despite its academic sounding title, Prof.

Onuf's latest book represents one historian's attempt to come to grips with "the problem of Jefferson" and the related issues of liberty, equality, union, and slavery. As will be seen, *Jefferson's Empire* is a sober and enlightening reconstruction of Jefferson's political thought and philosophy viewed as a whole from his defense of independence in 1774 (see "A Summary View of the Rights of British America") to his opposition to Northern restrictionists to prevent slavery in the territory of Missouri in 1819-1821. Beginning with Jefferson's vision of a republican "Empire of Liberty" as sketched in "A Summary View" that was the opposite of Great Britain's empire of force and distinctions among its inhabitants (colonials were not Britons), Prof. Onuf in turn guides readers on an intellectual journey as Jefferson confronts slavery, race, liberty (1776), and union (1787). Acknowledged as a leading Jeffersonian and early national scholar, Onuf urges us to see consistency rather than inconsistency in Jefferson's thought (which latter theme remains prominent as seen in Joseph E. Ellis's *American Sphinx*.)

Jefferson's republican "Empire of Liberty" would be a continental one peopled by ancestors of Englishmen (okay, Anglo-Saxons) who knew their rights and dared to defend them as they did in the War of Independence. In terms of government, there would be no monarchy or a single controlling national government (as advocated by the Federalists and The Federalist it is forgotten). Instead, there would be states (as small republics) within which even more local control would predominate. Not all would be citizens (not even all white men). Only those with property or a "stake in society" could achieve this exalted status (in the 18th century, literally, a society of equals). Liberty and Union and states' rights thus were the foundations of Jefferson's "Empire of Liberty" and of the extended American republic as it was created over the period 1776-1791 (when the crucial Bill of Rights was adopted including the Tenth one).

With respect to slavery, Prof. Onuf also begins with "A Summary View" after which he confronts, forthrightly and honestly, Jefferson's more famous (some would say "infamous") "Notes on the State of Virginia" and some not so pleasant notions about black Africans. This presumed inferiority, Onuf reminds us, is not the end but the beginning of Jefferson's views on the subject and its relationship to his "Empire of Liberty." Just as the English colonists were a nation within the British Empire and subjects of the Crown's tyranny that ultimately led to independence, so too were black Africans a nation within English North America who deserved to be free and independent. For the latter, independence also meant a separation or secession between white and black. In a word, it meant colonization or repatriation back to Africa given the prejudices of whites at the time (in this case Jefferson is presciently modern in anticipating Marcus Garvey and other black radicals of the 20th century). For Indians (the first Americans and not natives), their future in the new republic depended upon themselves as much as others (readers are referred here to pages 46-52 for the particulars of this most interesting question).

During Jefferson's and Madison's presidencies, however, events abroad (the rise of Napoleon, the revolution in Haiti, and war between Great Britain and France) diminished expectations for repatriation. By the time of the Missouri controversy of 1819-1820, a newer "diffusion" argument emerged. Expansion and the addition of new states would not only extend the republic and prevent "consolidation" of central power and revolution from within by avoiding concentrations of radicals in urban centers (cities and revolts seemed to go hand-in-hand to Jeffersonians), but the dispersal of slavery into the territories would make the "peculiar institution" and attendant race prejudice an American phenomena rather than a sectional and a Southern problem alone. However, Northern restrictionists (led by old Federalists and enemies of Jefferson and the Virginia dynasty) did not buy this argument (and not because of any greater humanitarianism on their part). As Jefferson made clear at the time, it was all about politics. In his words, it was a "party trick" to wrest political power from the Republicans (read Virginians and slaveholders). Hence the evocative but misunderstood phrase, "the fire-bell in the night," which referred not to slavery but to Northern sectional majoritarianism. Here was the real threat to the union and to liberty—it was disunion in the North!

Informative as the first part of Onuf's reconstruction of Jefferson's empire is (revisionism it is not since recovering the past is the aim), he is less successful in explicating "the language of nationhood." Reflecting long-standing historical practices of confusing the federal republic and union of the states with the states united, and denying the consistency of Jefferson's anti-government and states' rights beliefs including Nullification (from 1787 to 1826), the professor faults the Sage of Monticello for not being national enough (see especially Chap. 3 about "The Revolution of 1800" and the paradox of Nullification) and failing to overcome the logic of his own political theory that identified nationalism (as in Hamiltonianism) as the real threat to the existence of the union of the states. When Civil War finally came in 1861 (as alluded to by the author), it did so exactly as Jefferson and other Southerners had predicted with a new language of nationhood (born of 19th century Romantic nationalism and embodied in Abraham Lincoln and the later Republican party) that denied every one of Jefferson's principles: limited government, states' rights, secessionism as a right of revolution, and even the diffusion of slavery into the territories. The problem in sum was not the South or Nullification or states' rights but the new Lincolnian notion of the union as absolute (as Garry Wills, James McPherson, George Fletcher and many others have observed). As long as Jefferson and the original intentions of the founders are only partially understood, then progress toward a much needed and newer historical consensus that better explains slavery and liberty and union and the Northern origins of the Civil War cannot begin to happen.

8. Merrill D. Peterson, *John Brown: The Legend Revisited*. Charlottesville, Virginia.: University of Virginia Press, 2002. Pp. x, 195. \$23.95.

Liberator or murderer, revolutionary (as in 1776) or radical? Which is the real John Brown? In history and to historians, he is all of these things. Nor surprisingly, the division among scholars tends to follow the sectional split of the Civil War era. To Southerners, Westerners, and Northerners who were not abolitionists or Republicans, Brown was a radical and a cold-blooded murderer for events in "Bloody Kansas" (as John H. "Buck" Newman of Montgomery knows all too well as a distant relative of the Doyles who were massacred at Pottawatomie) and at Harper's Ferry. Only to a minority of whites was he a hero and a savior (the Transcendentalists and abolitionists but not all of the latter).

A long-time and respected professor of history at the University of Virginia whose research has centered on historiography or the writing of history and how different interpreters view similar persons and subjects over time (see *The Jefferson Image in the American Mind* [1960] and *Lincoln in American Memory* [1994], here Peterson turns his attention to the highly contested and troubling image of John Brown. He does so to inform and then to dismiss most of the negative studies about Brown. All of these, in effect, are biased because of slavery or race or local conditions in Kansas. Put another way, they are all politically incorrect (although the evidence for the murder of the Doyles, who were not slaveowners, cannot be denied, see pages 5-6, 62-63, 67-69, 125, 151). For all of the author's supposed objectivity, he has revisited the legend with a purpose in mind. Not only does "his soul go marching on" in politically correct circles, Peterson was inspired by Russell Banks' *Cloudsplitter* (see Author's Note and pp. 165-170), but John Brown remains very much an American figure with his creed of "the biblical Golden Rule" and the Declaration of Independence (see pp. 171-172). By implication, the South and all others opposed to John Brown are somehow less American and less Christian. This is not the case at all as will be explained.

Mad, John Brown was not as even many of his enemies and adversaries, North and South, admitted (see pp. 2, 13 for example). A fanatic he certainly was if this term is properly understood as "being governed by an ideal" (p. 13). This was the view of Ralph Waldo Emerson who was a most ardent Brown supporter and a Transcendentalist (Romantic). Readers who do not remember Transcendentalism from their American history need to take a refresher course. There was nothing American about it. It was pure Romanticism imported straight from German institutions and philosophers via Harvard University beginning about 1815 (see Wood, "George Bancroft, the Myth of Democracy, and the Lost Causes of 1776, 1787, and 1861" in *Southern Studies*). In turn, Romanticism begot Unitarianism (not Christianity), Transcendentalism, and Abolitionism (Garrison style and not to be confused with anti-slavery). As scholars well understand, there was nothing peaceful about Romanticism whether in Europe or America. Born of revolutions (the French ones of 1789-1799), it embodied radical individualism, perfectionism, and nationalism all in one.

As the North became romanticized between 1815-1860, which is to say radicalized, the focus of reformers fixed less on slavery and more on the South as an aristocracy and then a "Slave Power." In Romantic terms, the South had to go if there was to be a new nation (nationalism, 19th century style) and a re-birth of freedom (not a defense of 1776 or 1787 but a re-definition of the Revolution and the Constitution to justify war against the South). Note the emphasis here. In language reminiscent of Johann Herder, the state or the nation came first. And the war of Northern origins came to make America at last the states united (see also George Fletcher, *Our Secret Constitution* and Garry Wills, *Lincoln at Gettysburg: The Words That Remade America*).

This Romantic-Transcendental-Abolitionist-John Brown connection is important and cannot be underestimated. Although it forms a sub-text within *The Legend Revisited*, Prof. Peterson underestimates its radical and revolutionary implications. In the first place, abolitionism was more about nationalism than black freedom (as seen in "The Battle Hymn of the Republic"). In the second place, to clothe John Brown and the abolitionists in the theology of Christianity is to make their cause more moral than it was. In effect, they were nothing more than very secular Romantics who used the language of religion even as they talked about a "Higher Law" beyond the Bible (as it had to be since the "Good Book" was on the side of the South).

As a survey of a vast amount of literature—historical, biographical, literary, poetic, and dramatic—*The Legend Revisited* is quite simply a tour de force. Readers will learn much that is new about John Brown's life, events in "Bloody Kansas" and Harper's Ferry, his trial (a fair one) and execution (deserved), the Abolitionist conspiracy of the Secret Six, the celebration of John Brown within the abolitionist and African-American communities, and, of course, the battle of the books about the legacy of John Brown.

All of this is good if one-sided. Near the anniversary of Pottawatomie, May 23, 1856, readers need to be reminded of the other John Brown of history.

9. James M. McPherson and William J. Cooper, Jr., eds., *Writing the Civil War: The Quest to Understand*. Columbia, S.C.: University of South Carolina Press, 1998. 356 pages. \$29.95.

The average person may well ask, what can possibly be said about the Civil War that has not been known for a long time now? Was it not about slavery and was it not the South's fault? Wasn't slavery abolished and the Union preserved? Didn't the North win? Except for the last question, readers with these views will be shocked to learn much to the contrary in this specially commissioned collection of essays edited by two prominent historians of the Civil War

and the South. Comprising twelve chapters, each written by an expert in his/her area of specialization, serious Civil War buffs as well as the general public will learn much that is new about the conflict of 1861-1865.

Beyond military strategy and tactics (where controversy still abounds), there is much that modern scholars agree about. According to the new consensus, historians accept: (1) that the Civil War was indeed the great turning point in American history; (2) it was in fact a "Second American Revolution" (as Charles and Mary Beard suggested in the 1920's) resulting in a new nation (so much for preserving the Union on the part of the North) and a new industrial-capitalist order (so much for slavery being the single-cause); (3) Emancipation, reluctantly adopted by Lincoln and the Republican party (as a means to deprive the Confederacy of valuable labor), was really more of a self-liberation movement on the part of African-Americans who contributed greatly to their own freedom (which is also a vindication of the early research of W. E. B. DuBois); (4) why the abolition of slavery did not result in total freedom for African-Americans has much to do with point #2 above and with Northern racism (Republican and Democratic); (5) the North won the Civil War not with better leaders or strategy but with more men and materiel; (6) by the same token, the South lost the Civil War not solely because of Jefferson Davis and his faulty strategy but because of overwhelming Northern odds (to quote Gen. George Pickett, "I've always thought that the Yankees had something to do with it"); (7) in turn, military defeats over time compounded problems on the homefront (although internal class divisions, once emphasized as a factor, were not all important; (8) as for Southern slaves, their response to war was mixed and varied by region because "there were many 'slaveries' rather than one" (see especially "Slavery and Freedom in the Civil War South"); (9) ironically, both North and South and Yankee and Confederate and white and black fought for liberty (readers are alerted here to an earlier review by the author of James McPherson's *For Cause & Comrades* and to a forthcoming one of Eric Foner's *The Story of American Freedom*); (10) while the Civil War initially retarded Northern economic development, in the end it spurred the development of a new industrial economy and literally a new America itself as seen in the economic policies of the Republican party (the effect of which was the abandonment of radical Republicanism to a more business-friendly laissez-faire interpretation of the Constitution and the need later on for a "Second Reconstruction" that we know as the Civil Rights' Movement); (11) the Civil War affected nearly every segment of life, North and South, and if it were not the first "total war" it at least pointed toward World War One; (12) for Southern women, black and white, the war was theirs as well that of males and represented a "crisis in gender" among other things (and it is here in social history including the role of women that recent research has made important contributions while at the same time opening new areas for future research).

Noticeably absent is any one essay devoted to the causes or the origins of the Civil War. On this most critical issue, the old presumption of Southern guilt is implied (with one scholar actually using the word "traitor") although evidence is also presented that challenges long-standing myths about the South as well as the North. Curiously, too, the experience of black Confederates is ignored despite Prof. Ervin Jordan's recent book on the subject. Overall, and in contrast to the old historiography of 1865-1965 (for an introduction to this literature see Thomas J. Pressly's *Americans Interpret Their Civil War*), a more balanced interpretation of the Civil War is presented especially as it relates to the Southern side of the argument. After more than a century, the Civil War's relevance to modern American and Southern history has been approached if not completely delineated. No longer will monistic and simplistic causes (cotton, slavery, and race) suffice to explain a war that had to be fought involving as it did many issues—economic, social, political, religious, and yes even constitutional concerns. Thanks to the new military history, the new social history, women's studies, African-American history, and "the republican synthesis" (the recovery of the founders' 18th century beliefs and recognition of its persistence in the Old South and the Old North), what happened in 1861-1865 and why can be more fully understood than ever before.

10. Thomas W. Cutrer, ed. *Oh, What a Loansome [sic] Time I Had: The Civil War Letters of Major William Morel Moxley, Eighteenth Alabama Infantry, and Emily Beck Moxley*. Tuscaloosa and London: University of Alabama Press, 2002. Pp. xi, 171. \$29.95.

As a corrective to Bruce Chadwick's *The Reel Civil War* (the mythical one created by early film-makers and later perpetuated by Hollywood and on TV), readers of *Oh, What a Loansome [sic] Time I Had* will get a heavy dose of the real Civil War. In this case, it is not solely about slavery since Moxley was a yeoman farmer without black help (although some in the Wiregrass region did have slaves). Nor is it about a "moonlight and magnolias" South of white columned mansions where hoop-skirted ladies socialized incessantly to attract young male Cavaliers like Scarlett O'Hara and her coterie in "Gone With the Wind." Nor are there the highly exaggerated stereotypes of D. W. Griffith's "The Birth of a Nation."

Instead, there is loyalty to family and the Confederacy. "If I should be killed in battle I want you to be close enough to see that [I] died for you & my children. It is for you and them I live & for you & them I am willing to die. . . ." (Moxley to wife, September 1, 1861, p. 27) "But I earnestly hope the day will come when I can see home and every thing that is dear to me again and my Country free. Then I will be happy as any man on earth. . . ." (Moxley to wife, February 14, 1862).

From the soldier's perspective, there are the usual letters (with all of their typical misspellings of 19th century English, e. g., "Hystory" instead of "History") about camp life and its privations, rampant diseases (that killed

more on both sides than bullets and artillery), and increasingly about battlefield deaths. On the domestic side and the home-front, there's the sheer struggle to survive by lonely wives like Mrs. Moxley who proved to be up to the task as independent heads of households even if they were not modern feminists (see page 9 for women "working in the field" and page 99 about "how much trouble this settlement is in"). Heroism was not confined to the battle-front. The letters make for some compelling reading both with respect to military action and the battle back home. Even their mundaness is a virtue in dispelling Romantic notions of the Civil War. For the Moxleys themselves, readers will hopefully buy the book to find out what happened to them.

Two mistakes are worthy of note. First, there is no reference to Frank L. Owsley and his *Plain Folk of the Old South* (1949) in the bibliography. Second, several references to 1776 and the old revolutionaries pass by without comment (see pages 7, 113, 128). This is important, of course, since secessionists always compared themselves to the rebels of old and rightfully so.

11. Bruce Chadwick, *The Reel Civil War: Mythmaking in American Film*. New York: Alfred A. Knopf, 2001. pp. ix, 298. \$23.00.

The American Civil War, 1861-1865. 620,000 plus deaths. A million wounded and missing. To contemporaries, North and South, Yankee and Confederate, this carnage was about more than slavery, either its abolition or its perpetuation. It was about the Constitution and the nature of the union (the union of the states versus the states united) with the South defending the original principles of 1776 and 1787 and Lincoln and the Republican party espousing altogether newer political and constitutional views (see James M. McPherson, *For Cause & Comrades: Why Men Fought the Civil War* and George P. Fletcher, *Our Secret Constitution: How Lincoln Redefined American Democracy*). To quote a recent Northern historian, for Lincoln "New principles were at hand. . . . The great Civil War gave birth to a new and different American Republic, whose nature is to be discerned less in the Declaration of Independence than in the [Gettysburg Address]. . . ." (Russell F. Weigley, *A Great Civil War* [2000], xvii-xviii.)

This real Civil War, which persisted through the era of Reconstruction, has long since given way to the "reel Civil War" and the image of a conflict that need not have happened except for those fanatical abolitionists who convinced Americans that they were different to the point that they decided to kill each other for no good reason. Building upon a Romantic Lost Cause with its plantation legend of moonlight and magnolias that made slavery benign and humane, and in which Cavaliers and Yankees helped each other survive or actually got married (see chapter one, "I Wish I Was in the Land of Cotton"), the new film industry in effect took over what had been already popularized first in literary form and then on stage. The rationale as Prof. Chadwick correctly notes was the need for reconciliation. Indeed, if North and South were so different how could reunion and progress occur? To say that the South won the Civil War on the screen (and later on television) is an exaggeration which is also to say that D. W. Griffith's "Birth of a Nation" and David O. Selznick's "Gone With the Wind" are perhaps atypical of the entire Civil War genre with the wildly exaggerated black stereotypes of the former and the feisty heroine of Scarlett O'Hara in the latter.

Beyond the author's single-minded focus on slavery as the cause of the Civil War (see pages 70-73), there is much to inform and even to entertain the reader here: about the scope and popularity of the early film industry (North and South) from the first "shorts" through the silent era (thirteen Civil War movies were made in 1908, twenty-three in 1909, and "nearly one hundred per year through 1916"); about the contributions of Jews to a more sanitized version of American history (see page 39); the roles of Thomas Ince (a Yankee from New England), William M. Selig, and Harry Aitken (see pages 47, 55, 99); the less than flattering portrayal of blacks and the protests of the same by African-Americans (see pages 80-81, 104-106, and 126-127). Finally, did President Woodrow Wilson really say what he did about "The Birth of a Nation" (see page 122)?

As a one volume introduction to a fascinating subject, *The Reel Civil War* is indeed worthy of being added to a home library. The real Civil War, however, must be sought elsewhere than on the silver screen.

12. Heather Cox Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901*. Cambridge, Massachusetts: Harvard University Press, 2001. Pp. xvii, 312. \$39.95.

There's history and there's myth and in today's politically correct world the difference between the two is often blurred. Having previously presented books in this column that challenge myths about the South, slavery, and the Civil War (of Northern origins), attention here turns to Reconstruction, another controversial era, and the important question of what happened to black freedom. If the Civil War was about slavery, as we are told, why did legal segregation become the law of the land in 1896 with Plessy versus Ferguson?

The Death of Reconstruction is not only appropriately titled, but the subtitle provides the reasons why and the proper focus—on developments in the North! This is not to say that events in the South were unimportant including the KKK and violence; however, the South alone as a defeated and prostrate region could not have determined the outcome of segregation. Heather Cox's analysis begins with racism, North and South and Republican and Democratic. Although the new Republican party of Lincoln had espoused the principle of free labor before the Civil War, it took the war itself and the heroism of black soldiers to convince Republicans of the morality of extending

it to freedmen (but not women). Thus "the legislation of the early Reconstruction period—the Freedmen's Bureau Act, the Civil Rights Act of 1866, the Thirteenth, Fourteenth, and Fifteenth Amendments to the Constitution. . . ." (p. ix)

What changed Northern (and indeed Southern) attitudes about freedmen as free laborers and successful Americans were (1) the rapid industrialization of the American economy after 1865; (2) the emergence on a large scale of the wage-earner; (3) the rise of communism and other radical "isms" of the post-1865 era (we forget this today) as seen in the Paris Commune of 1870-1871; (4) the growth of labor unions and their espousal of radical ideas (labor and capital were inexorably opposed); and (5) increasing black radicalism as seen in such leaders as T. Thomas Fortune and among rank and file workers and farmers.

By 1890, it became clear to better whites and blacks, North and South, that they and America were threatened by the worst sort of people who desired to control the government for paternalistic and socialistic ends. What had been disturbing but individual or isolated tendencies before, all came together in the Populist party in the elections of 1892 and 1896. With its coalition of radical farmers and workers, black and white, and its strategy of direct political action in the form of a third party to gain political control in the states and at the federal level, the time for action had come. The results we know all too well: disfranchisement of whites and blacks (as in the Alabama constitution of 1901) and the death of Reconstruction itself.

As the learned Prof. Richardson makes clear (along with other scholars), class was and remains as much a divisive factor in American history as race! We forget this insight at our peril because this historical truth is still with us today. Another insight worth noting is that American history in the 19th century cannot be divorced from World History. Just as the revolutionary "isms" of Romanticism (individualism, perfectionism, and nationalism) changed part of the North before 1860, so too did socialism and communism make their way from Paris to the U. S. Finally, *The Death of Reconstruction* reminds all of us that the real Civil War of Northern origins was indeed about more than slavery. Here's yet another book that must be read by all to understand the events of 1861-1865 and beyond.

13. Gordon C. Rhea, *Cold Harbor: Grant and Lee, May 26-June 3, 1864*. Baton Rouge: Louisiana State University Press, 2002. \$34.95. Pp. viii, 532.

Ulysses S. Grant was not the "butcher" he has been portrayed to be and Robert E. Lee was not without sin as commanding general of the Army of Northern Virginia. "The Cold Harbor in these pages differs sharply from the Cold Harbor of popular lore," Rhea writes. "Grant is not an unthinking automaton shoveling bodies into the maw of Lee's earthworks. And Lee does not fight a perfect battle." (p. xiii.) There's even more historical revisionism to follow in the lower number of Union casualties and the battle's impact upon the Republican convention of June 7, 1864 (see pp. 359-360, 385-386). Did Grant engage in a cover-up of numbers killed and wounded to help Lincoln's renomination? Sorry, but readers will have to buy the book or borrow it to discover the surprising answer.

Beyond strategy and tactics and personalities, readers of *Cold Harbor* will confront above all the horrible reality of Civil War combat and the ferocity with which Rebels and Yanks fought each other and their willingness to die for their respective causes (again, more than slavery was involved on both sides). Some excerpts follow.

June 1: "A projectile tore through the orchard south of Cold Harbor and stuck [sic, struck] William Oliver of the 15th New Jersey on the head, killing him and catapulting his body into the air." Elsewhere, "soldiers in the 9th New York Heavy Artillery. . . decided they valued their lives more than their unsoiled clothing." (p. 228.) "The air was filled with sulphurous smoke, and the shrieks and howls of more than two hundred and fifty mangled men [Federals] rose above the yells of triumphant rebels. . . ." (p. 241.)

"The rebel fire was very effective and it seemed to us. . . that our poor fellows would all get shot. The ground over which they had passed was covered with men. We could see them fall in all shapes. Some would fall forward as if they had caught their feet and tripped and fell. Others would throw up their arms and fall backward. Others would stagger about a few paces before they dropped." (p. 241.)

June 2: "We [Federals] were acting very much unlike the stern and silent soldiers we read of. . . ." (p. 312.)

June 3: "Many of the wounded left on the field and unable to get under cover were deliberately shot dead by the inhuman rebel wretches. . . ." (p. 354.) "Men worked their bodies into the ground to gain shelter and stacked corpses as barriers. . . ." "It was not war; it was murder." (p. 357.) After giving his watch, pocket-book, and papers to fellow Confederates, Capt. Charles S. Fleming of the 2d Florida and his men "vaulted over the works" to their certain deaths. "There was no. . . wild and exultant 'Rebel Yell'. . . ." It was "consciousness of duty performed however dire the consequences." It was "behavior. . . superlatively heroic. . . ." (pp. 382-383.)

Such gory and grisly details remind us of the real Civil War of 1861-1865 rather than the romantic one of postbellum hazy memories by which many, North and South, tried to forget why they fought in order to facilitate national reunification (see Nina Silber's excellent *The Romance of Reunion*). Rhea's reconstruction is superbly done and exhaustively researched (the volume is the third in a series by this non-professional historian). While its appeal is largely to military buffs, there's a larger message as well. People do not go to war and face certain death for light and transient reasons.

14. Henry Wiencek, *An Imperfect God: George Washington, His Slaves, and the Creation of America*. New York: Farrar, Straus, and Giroux, 2003. \$26.00. Pp. ix, 363.

Jefferson did not. Nor did James Madison or James Monroe. George Washington did, free his slaves that is, at his death in 1799. Why Washington alone of the Virginia founders of the republic chose emancipation is the principal subject of Weincek's new look at the hero of the War of Independence and the father of his country (figuratively only). In doing so, Washington freed himself from the peculiarities and inconsistencies of slavery in America (not universally perceived). Was this merely a death-bed confession or the result of a long moral struggle on Washington's part?

Assuming the latter, Weincek begins an *Imperfect God* with a dream of Washington's just before his death that inspired him to write another last will and testament. The author then conducts the reader on a biographical tour of Washington's life that includes his early upbringing in Virginia's developing slave plantation society, his marriage to Martha Custis (her second), the rewards and misgivings of slavery, life at Mt. Vernon in black and white (with more of an emphasis than ever before on the former), Washington as a master (kind or not so kind?), the first president's problems with his slaves in the nation's early capitals of New York and Philadelphia, and the impact of the Revolution upon slavery. Chapter titles reflect the major emphasis of the author on Washington's relationship to slavery and his slaves beginning with "Home Ground" (about George's early life in colonial Virginia) followed by "On the Borderland" (about free blacks and mulattos resulting from miscegenation who were in a no-man's land socially); "A Scheme in Williamsburg" (about Washington's first epiphany against slavery in 1769 after being forced to participate personally in a slave auction); "A Different Destiny" (what happened to black freedom), "A Sort of Shadowy Life" (about miscegenation again); and "Great Escape" (about the flight of Martha's trusted servant Ona to the North).

There is much new information here in addition to the 1769 incident in Williamsburg that was the catalyst for Washington's later emancipation of his slaves (but not Martha's or those owned by other members of the Custis extended family). There are his early emancipations plans, miscegenation on the Custis side and by Washington himself resulting in the birth and later claim of Wes Ford. There are the slaves who fled to or were captured by the British and not returned to their owners including Henry Washington who ended up in Liberia to lead a revolt there against oppressive masters. Martha's less than paternalistic views about blacks are revealed as are Marquis de Lafayette's strikingly different and egalitarian views toward blacks and his own effort not successful to found a colony in South America.

Excellent as the research is and informative as these new insights into Washington's life are that other prominent biographers have willfully ignored (Douglas Southall Freeman, James T. Flexner), there are some problems of interpretation on Weincek's part that reflect a more recent neo-abolitionist and politically correct bias (evident, for example, in the author's recounting of interactions with reenactors at Mt. Vernon and Colonial Williamsburg). Slavery as a total institution (the old Elkins thesis) has long been exploded. African-Americans were able to create a community of their own that not only enabled many to survive but in time to become a part of an emerging black aristocracy before and after the Civil War (see John Blassingame, *The Slave Community* and Willard Gatewood's *The Black Aristocracy* among other studies). Thomas Jefferson is thoroughly misinterpreted with respect to the "fire-bell" in the night (the Missouri controversy of 1819-1821) and his later views of blacks are ignored (see Merrill Peterson, ed. *Writings*, pages 1096-1099, 1169, 1239-1241, 1343-1346). There was before William Lloyd Garrison and radical abolitionism a plan of emancipation that involved expatriation through colonization, individual manumission as Washington and many others did so that free blacks amounted to 59,000 in 1800 (see "Africans In America" on the www), and diffusion into the territories (see Onuf, *Jefferson's Empire*, 2000). Weincek accepts at face value the claims of Wes Ford and his descendants that he was fathered by George Washington although no DNA tests have been done. The same applies to Jefferson and Sally Hemmings with DNA evidence being inconclusive about the paternity of Madison Hemmings (it was someone in the family but not necessarily Jefferson himself).

Finally, there is the author's misreading of the Declaration of Independence itself and his overwrought focus on the presumed paradox between slavery and freedom (after all did not the Declaration of Independence declare that "all men are created equal"?). When these ringing words were written in the 18th century, their meaning was different and less sweeping than they became in the 19th century and after as Pauline Maier reminds us in her *American Scripture: Making the Declaration of Independence* (1997). Only during the early 19th century, with the abolitionists and Abraham Lincoln (and for good reason) did the Declaration become the sacred document it now is both with respect to universal liberty and nationalism. (See pages 167-168, 197-199)

This fundamental fact about July 4, 1776 exposes the inherent flaw in Weincek's new look at Washington who does not cite Maier's study or those by David Brion Davis, Eric Foner, or Larry Tise who see no contradiction between slavery and freedom in the context of 1700's and the meaning of liberty to the founders of the American Republic. While previous biographies of Washington overlooked slavery altogether, he tends to overemphasize the "peculiar institution" and the guilt created in the minds of slaveowners mostly in the South. The sincerity of Washington's desire to free his slaves is not at issue here. The matter to be resolved rather is how typical was Washington's behavior and what he did not do between 1769 and 1799.

15. Daniel J. Flynn, *Why the Left Hates America: Exposing the Lies That Have Obscured Our Nation's Greatness*. Roseville, California: Prima Publishing/ Crown Publishing Group and Random House, 2002. Pages viii, 247. \$23.95.

For those not familiar with the term "Political Correctness" or even those who see it simply as a benign phenomena aimed at preventing inoffensive language being used against people of color or minorities in America and now even women and gays, all had better begin to think otherwise. "PC" is just another phrase for an on-going cultural war not

only to control thinking (see Tammy Bruce, *The New Thought Police*, 2000), learning (Diane Ravitch, *The Language Police: How Pressure Groups Restrict What Students Learn*, 2003), journalism (see William McGowan, *Coloring the News: How Crusading for Diversity Has Corrupted American Journalism*, 2001) and the study of history (see Keith Windschuttle, *The Killing of History: How Literary Critics and Social Theorists Are Murdering Our Past*, 1996), but to redefine American history and its meaning as inherently and hopelessly racist, imperialist, and exploitative of all non-white people around the world including women whose gender forces them to be slaves to their patriarchal spouses.

If you missed Dinesh D'Souza's *The End of Racism* (1995) or David Horowitz's *Hating Whitey* (reviewed in the *Advertiser*), Daniel J. Flynn's book will serve as a wake-up call to learn more about this explosive and corrosive term and the political-social-cultural forces underpinning it. To be informed is to be forewarned and armed and ready to combat myth versus reality. Although couched in the language of "Multiculturalism" (which is a good idea if its purposes are inclusive and critical as this reviewer attempts to do), this new history is instead the story of "victimization" with the aggrieved in American and around the world blaming the U. S. for all of their problems.

The "Left" (not necessarily "liberals" or the Democratic party) refers to those on the extreme edge of the political spectrum who as Marxists-Leninists (if not Communists) repeat the old Bolshevik diatribe against the United States of America as an imperialistic and hegemonic country whose quest for empire and subjugation of people inevitably flows from its capitalistic economic system. The means to their utopian goal of a class-less and non-racial society is through revolution not necessarily in the form of actual class warfare but more subtly through propaganda and fomenting hatred of America through a falsification of its history. In effect, as the party-line goes, whites in America are "privileged" because of their past and therefore must be removed not only from power but from history itself. Not only that, as the "privileged" whites must admit the sins of their past, pay reparations, acquiesce in Affirmative-Action, learn alternative and egalitarian history, and otherwise excuse the non-learning of others (as yet another form of protesting "victimization").

Besides telling us who the Left is specifically (see chap. 2, "The Roots of Anti-Americanism") and why they are dangerous (though no more than 10% of the population, see page 5, "They are museum curators, journalists, college professors, librarians, and movie stars. . . in fields that influence the way people think."), Flynn's analysis exposes the hypocrisy of their conflicting beliefs (e. g., pacifism and revolution and freedom and intolerance at the same time) and above all the glaring defects of their one-sided history (see chap. 3, "Anti-American Chic" and chap. 4, "The Five Big Lies"). Applying "the principles of Marxism" to cultures, where "'Rich' ones are knocked down a few rungs and 'poor' ones are given a boost upward," the Left's view of the world "becomes absurd." "Because the picture. . . of other cultures serves to delude rather than to enlighten, we are truly shocked when confronted with the harsh reality of life outside America (as in "Forced abortions, ethnic concentration camps, tongue amputations for vocal contrarians, slavery, and genocide" around the world, see page 150-151).

America is by no means a perfect country or society. Nor, as Flynn reminds us, is it as evil as some would want us to believe.

16. Stephen Yafa, *Big Cotton: How a Humble Fiber Created Fortunes, Wrecked Civilizations, and Put America on the Map*. New York: Viking, 2005. Pages xiv, 380.\$24.95. (*Southern Studies*, permission granted.)

Chintz. Calico. Muslin. Denim. Madras. Fustian. Percale. Chambray. Cretonne. Ecu. These are all forms of cotton cloth spun and woven in different parts of the world at varying time periods in the past. The first thing about this wondrous fiber (*Gossypium malavacae*) is its ancient origin. About 5,500 years ago "at approximately the same time. . . civilizations living as many as 10,00 miles apart and totally isolated from one another domesticated the plant and converted it into fabric." With human intervention, improved varieties were developed in the Old World (*G. arboretum* first in Pakistan and then Nubia and Nigeria and *G. herbaceum* later in sub-Sahara Africa and then spreading to the Middle East, Asia, and Spain). In South America, *G. barbadense* "originated along the Pacific Coast in Chile and Peru." (Pages 12-13.) To Alexander the Great, it was "vegetable wool." Herodotus admired "the cotton uniforms of Xerxes' soldiers" and "beguiled his readers with tales of 'wool-bearing trees with fruits of downy fleece.'" Rome imported the luxury to the point that "there was no year in which India did not drain the Roman Empire of a hundred million sesterces." In medieval England, the much traveled Sir John Mandeville "reported on a remarkable animal-plant he had come upon called Vegetable Lamb." To Columbus, it was proof that he was in the Indies rather than America. (Pages 20-23.)

The story of cotton, in sum, is almost a history of the world from the vantage point of a single plant. Its fascinating history and impact for good and bad (with both being inextricably linked together like the bothersome seed in the more desirous boll) are well told by Stephen Yafa in one volume no less. Long coveted, cotton was never easy to cultivate or make into cloth. Thus the problem (labor) and the promise (of riches) if that darn seed could be removed. Large scale planting and weaving had to await the technological developments of the late 18th and 19th centuries: cotton gins and mechanical looms later harnessed to steam power. The era of "Big Cotton" had begun and continues today. Along the way, the Industrial Revolution was stimulated and the world changed as never before. Cotton alas "democratized greed."

"The source of cotton's power," as the author reminds us, "is its nearly terrifying versatility and the durable creature comforts it provides." Day-to day "at least one article of clothing made from cotton" is worn by "just about everyone on the planet." Its by-products are equally ubiquitous whether one is "eating ice cream, changing diapers, filtering coffee, chewing gum, handling paper money, polishing fingernails, or reading a book [preferably *Big Cotton*]." (Page 2.) Beyond the versatile thread, there is the equally versatile cottonseed oil (the seeds "make up 65 percent of the yield from a harvest"). Beyond its usefulness personally, agriculturally, chemically, and industrially, it has also inspired music (the Blues) and added to our vocabulary ("fair to middlin," "cotton to a fella," "you're stuck," "in high cotton," "the thread of an idea," "weaving a plot," "spinning outrageous yarns") (Pages 4, 5.) In modern times, alas, "Big Cotton" led to increased use of pesticides and to ecological disasters in Central Asia. (Page 6.) More recently, genetic engineering in modifying cotton seeds raises newer alarms.

Future revolutions in the planting and cultivation of cotton only underscore the "history of cotton" which is "filled with similar tectonic disruptions of the status quo that the fabric and fiber instigated, accelerated, or at the very least encouraged" in the past. (Page 7.) Whether it alone made the South *southern* and un-American and responsible for the Civil War is open to question (see chapters 6 and 7). Important as cotton was economically, to the whole nation we forget, its cultivation had reached "natural limits." War came for reasons beyond slavery and to be found above rather than below the Mason-Dixon line as Susan-Mary Grant's *North Over South* (2000) reminds us. While Mr. Yafa may be excused for believing otherwise, he has nevertheless crafted a most excellent book and one informed personally as a son of Lowell, Massachusetts and born there long after the town's glory days during "Big Cotton."

Neil Kagan and Stephen G. Hyslop, eds., *Eyewitness to the Civil War: The Complete History from Secession to Reconstruction*. Washington, D. C.: The National Geographic Society, 2006. 416 pages, \$40.00

by
Kirk Wood
Special to the *Advertiser*
*Printed

War is Hell! It was so in 1861-1865 and remains so still for combatants and civilians alike in the early 21st century (as in Somalia, Iraq, Afghanistan, Israel, Palestine, and Lebanon). The hundreds of photographs or daguerreotypes in this collection immediately disabuse one of the "Romance" or "Glory" of war (before the hard fighting begins perhaps but not afterwards). Ghastly pictures of bloated Union and Confederate dead (all Americans, we forget) remind us of war's destructiveness to humans, animals, farms, towns, and whole societies. The pile of amputated feet and legs shown on page 344 and examples of the horribly wounded on pages 348-349 (see "The Medical Middle Ages") should make us all ponder the cost of war in general. As promised by the editors, the major Civil War events, issues, battles, leaders, and politics are presented here in photographic, illustrated, topographical, and documentary form. It is a treasure trove to have and to view at leisure. Great transparencies and slides can also be made for educational purposes.

A few caveats are in order, however. Why no material, visual or otherwise, about the Northern war against the Indians beginning as early as 1862 in the Midwest and continuing through to the massacre at Wounded Knee in 1890? Why nothing about the secession movement in far-away California where there were no slaves? Could the Civil War have been about more than slavery (South) and abolition (North)? Was it not more about the conquest of America, South and West, to re-make America anew as the states united? Terms like "union," "nation," "federal," "states' rights," and "secession" need to be used more carefully, too. America remained a federal republic and a union of the states from 1776-1787-1788 to 1861-1865. There was no "nation" before Abraham

Lincoln and the Republican party made one because a "national" government was rejected in the Federal Convention of 1787 (see the *Notes of Debates* of James Madison).

~~To their credit, the editors at least (and at last) admit that John Brown and his band in Kansas where the murderers terrorists they really were with respect to the massacre of the Doyle family from Alabama (where a distant relative still resides in Montgomery, John "Buck" Newman). About the causes of the Civil War, and why Americans fought Americans in the middle of the 19th century, the editors make this cryptic statement. While "many Southerners differed with Northerners in favoring states' rights over the claims of the federal government," that "issue in itself was not enough to shatter the Union until it mixed explosively with the controversy over slavery." (See page 17.)~~

The \$64,000 question of course is just how did slavery have this decisive effect? It did but indirectly. With three-fourths of Southerners owning no slaves and slavery not about to spread to the territories since the "Natural Limits" of plantation agriculture had been reached (as was known at the time!), pro-slavery was not the *sine qua non* it has been made to be. For Lincoln and the Republican party, their opposition to a phantom is understandable only in terms of a higher nationalist purpose to force Southern secession and then to declare war to make the states united. Thus, during the second Ft. Sumter crisis after Lincoln had become president, the Northern path to war. To quote the editors, "The necessity of putting Confederates at fault guided his thinking in the weeks to come as he and his Cabinet debated what to do about Sumter." (See page 54.) With their own racism behind "Free Soil, Free Labor, and Free Men" (no blacks at all desired in the territories, slave or free), emancipation leading to abolition had more political-constitutional aspects than moral-egalitarian ones.

Many other "eyewitnesses" to war there were such as Northern Democrats or "Copperheads," large planters and their opposition to secession, and the Indians (who likewise experienced the Reconstruction of America after 1865 culminating in the Age of Big Business, Imperialism (with the Spanish-American War of 1898) and legal segregation with Plessy vs. Ferguson (1896). With the critical clarifications noted above, *Eyewitness to the Civil War* is a welcome addition to an already massive literature about the conflict of 1861-1865 (but don't confuse with *Eyewitness: Civil War*, 2000, a children's book, by John Stanchak).

Scott Nelson and Carol Sheriff. *A People at War: Civilians and Soldiers in America's Civil War*. New York: Oxford University Press, 2007. \$28.00

By
Kirk Wood
Special to the *Advertiser*
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Still they come, books about the Civil War that is. Together with *The Civil War: An Illustrated History* (previously reviewed), *A People at War* is one of the more useful and readable volumes to appear of late. Eschewing a focus on "Battles and Leaders" and "Generals and Military Strategy-Tactics," about which much has been written both for Federals and Confederates alike (and why the North won or the South lost), this study is true to its purpose of putting civilians in the forefront, North and South and free black

and slave alike. The interesting photography on the jacket cover illustrates this point very well as does a second one by the same photographer albeit with one person missing (buy the book to discover the answer!). Whether it was a Civil War or a War Between the States, once begun the conflict of 1861-1865 changed everything: for soldiers, women, the West, the economy, the South and more as individual chapters describe (see chapters 7, 9, 10, 11, 12-14 in particular). This is especially true for African-Americans who well knew what the war involved. To an African American in California in 1862, "The Revolution had begun and time alone must decide where it is to end." (See page 249)

For those with a contrary and perhaps too mythical view of the causes and consequences of our Civil War, the co-authors admit some uncomfortable truths about Lincoln, the Republican Party, and abolitionists. In chapter One, "The Road to Bleeding Kansas" and the issue of slavery in the territories, they state: "Like the abolitionists, Free Soilers wanted to outlaw slavery though only as a first step toward barring all blacks, free as well as enslaved, from the territory" (Page 4) Moreover, "the Westward expansion of slavery was not inexorable. . . ." (See page 13) In Kansas, where the radical John Brown waged a terror campaign, and was secretly aided by abolitionists, the "mini-Civil War" there was "more frightening to white Southerners than the Republicans' platform" because of "the party's seeming willingness to defend it by force" (Page 32) This became all too evident in the second Ft. Sumter crisis of April, 1861 where "Republicans hoped that an attack on a fort receiving food for soldiers would galvanize public opinion behind the president, especially in the Upper South." If Confederates believed they were justified in finally firing upon Ft. Sumter as an act of sovereignty, the Lincoln response of calling for 75,000 volunteers was the real declaration of war and that which caused the nascent Confederacy to grow from seven to eleven states. Interestingly, for all of his and the Republican Party's claim to be preserving the union and the Constitution, "Lincoln circumvented" the role of Congress in raising an army "by drawing upon the authority of the Militia Act of 1792." (Page 53)

To their credit as objective historians, the co-authors reject simplistic theories of causation. "Clearly, the stereotypes of the 'Industrial North' and the 'Slave South' do not hold up." (Page 11) What the Civil War was all about, however, remains unclear. While their default position of falling back on the issue of slavery is not misplaced, it does require some clarification. If Lincoln and the Republicans were about more than abolition, and if Southerners "emphasized *they* were the torchbearers of the Revolution and of the nation's republican ideals (62), then conflicting views of the union and of the Constitution once again seem to be in the forefront of causal factors dividing not just the North and South but what was really two different Americas, one born in the 18th century (the South and the other North) and another one of distinct 19th century origins (the North as symbolized by Lincoln and the Republican Party). In effect, this is what the territorial issue was all about with the Republican Party's "Free Soilism" being based not only racism but a new constitutionalism that denied the final authority of a sovereign state and sought to empower a mere territory (as a collection of people not citizens) to decide for or against slavery.

Gabor Borritt, *The Gettysburg Gospel: The Lincoln Speech That Nobody Knows*.
New York and London: Simon & Schuster, 2006. 402 pages. \$28.00

by
Kirk Wood
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Prof. Gabor Boritt no doubt is a gentleman and a scholar. With many published books to his credit, he deserves the scholarly respect to which he is entitled. His latest book, *Gettysburg Gospel*, yet exhibits such a contradictory analysis of one of the most famous speeches in American history that it raises larger questions about bias and motive. As a detailed study of the speech's composition (he did not write it on the train on the way to Gettysburg as an Alabamian, Mary Shipman Andrews, would later make famous), and then its presentation on November 19 (and before that day of the minutia of the aftermath of the Battle of Gettysburg and the real grave problem of thousands of dead, Federal, Confederate, and animals, leading to the idea of a national cemetery), this book will be the standard work for a long time to come (see especially the many appendices).

Instead of being the "Speech That Nobody Knows," many well understood what it meant, North and South, and were alarmed as they were with the formation of the Republican Party in 1854. As for "The Gettysburg Gospel," the preservation of the Union, this would be much later in coming and would require some serious myth-making beginning with Lincoln himself. Not without some serious straining of facts did Lincoln, Republicans, and abolitionists make the Declaration of Independence (the "four score and seven years ago" reference) America's founding charter of nationhood rather than the Constitution of 1787-1788 (and here all benefitted from the Romantic nationalist history of one George Bancroft). Not only was a national government rejected within the Federal Convention (see James Madison's *Notes of Debates*), but the Declaration of 1776 was not the "sacred" document it would later become (as Pauline Maier has so expertly reconstructed in *American Scripture: Making the Declaration of Independence*, 1997, which book Prof. Boritt and too many others ignore).

Lincoln's speech, however, was not only widely misreported early on, but deemed to be either unremarkable or threatening. As even Prof. Boritt acknowledges, the speech was neglected long after 1863 (Lincoln "the Emancipator" took precedence over Lincoln "the Preserver of the Union").

It "would take decades before it became important that he gave the Gettysburg, and not the Antietam or Chancellorsville Address. A generation had to pass before his 'few appropriate remarks grew into the Gettysburg Address. Out of the sacred space the sacred text would grow. Late in the century, Americans would rediscover Lincoln's remarks in their own right, call them by the name we still know, begin to turn the text into a revered document, and find the meaning of their country there." (See pages 160-161.)

To claim that there is no mystery about what Lincoln meant in 1863, and that all others got it wrong, is to deny history itself. It also underscores a larger problem within modern Lincoln and Civil War scholarship.

Why cannot he and too many other uncritical defenders of Lincoln just admit the simple truth of the Gettysburg Address being exactly what Lincoln said it was? It was indeed about the birth of a new America as the states united and beyond original intentions originally as a federal republic and a union of the states as intended by our founders (1776) and framers (1787-1788). Not only do I say so, but other historians do so as well (Garry Wills, George Fletcher, and Thomas DiLorenzo). So too did contemporaries, North and South, who cried "Despotism" over states' rights. In one case, from a New Jersey Democratic paper, it was asserted that America "needed not a new birth of freedom, or a 'new Union. . .but a 'new President'." (See pages, 141-142.)

This "I'm right" and "all else are wrong" style of history is as divisive as it is off-putting. With his bicentennial celebration already underway, less and not more myth-making about Abraham Lincoln is needed to begin to understand the national tragedy that our Civil War of Northern origins was for too many, North and South, and black and white and red.

Jennifer L. Weber, *Copperheads: The Rise and Fall of Lincoln's Opponents in the North*. New York: Oxford University Press, 2006. 273 pages. \$28.00

by Kirk Wood
Special to the *Advertiser*
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To understand the Civil War of Northern-Republican-Romantic origins (as in 19th century nationalism and perfectionism leading to a new idea of an American nation as the states united as the prerequisite for abolition), Jennifer Weber's fresh look at the Copperheads or Northern Democrats is essential reading. In no uncertain terms, here's how she describes them. They were not "traitors to the Union cause" and more than "Peace Democrats." They were "strict constructionists about the Constitution" concerned about personal liberties and original intentions. Indeed, "the Copperheads drank deeply from an old ideology, republicanism, that warned tyranny, executive usurpation, and big government"(see pages 3-4, 6).

To continue her historical description, "The rhetoric of the most prominent Copperheads was quite similar to the language that the Patriots used against George III during the American Revolution. Their fears about the threat of government power, combined with their understanding of the Constitution, made them extremely wary of, and often alarmed by, the way Lincoln wielded power during the war---indeed, in some cases, by the very fact of the war itself." Correctly referring to "Republicanism [of the 18th century]" as "the philosophical underpinning that conservatives [Democrats] agreed on, regardless of whether they were Southerner born or not. . .informed their understanding of politics and government. . . .Falling back again and again on the Constitution, hearkening back to the examples of Jefferson and Jackson, they steadfastly defended their liberties against what they regarded as a steady incursion by the tyrant Abraham Lincoln and his Republican minions." (See pages 19-20.)

What is more, "They believed the Southern states had every right---a responsibility even, given the abolitionist talk in the North---to secede." (See page 20.) After Ft. Sumter, the *Indianapolis Sentinel* proclaimed that "The Abolition and disunion

administration have attempted the coercion of the Confederate States. Such are the first fruits of Republicanism [of the 19th century and of Lincoln]. . . ." (See page 16.)

Welcome as this new study of the Copperheads or Northern Democrats is as an update to Frank L. Klement's earlier works on the subject, Prof. Weber's analysis of same falls well short of the really revolutionary study it *ought to be*. If Northern Democrats (and Southern ones as well) stood for original intentions originally as they long proclaimed before and after 1865 (see for example *The Old Guard*, a Northern magazine, on-line via Cornell University's Making of America Digital Archive), what about Lincoln and the new Republican Party of the 19th century? Could it be that the latter and not the former represented new thinking about American history and the Constitution? Not only do I say so, but so do James M. McPherson, George Fletcher, Garry Wills, and Thomas DiLorenzo.

Contrary as this other interpretation of our Civil War may be to received opinion, its historical legitimacy like that of the Lost Cause became a victim of the Northern triumph in 1865. By force of arms was the nation united and a new American history as national myth perfected. Lincoln and the Republicans became the heirs of the founders and framers instead of the Democracy (North and South). Of course, the principles of 1776 and 1787 had to be reinterpreted to be more democratic, nationalistic, and abolitionist than they were. On this last point, readers are referred to Pauline Maier's *American Scripture: Making the Declaration of Independence* (1997) and to the *Notes of Debates* of James Madison (where the delegates to the Federal Convention rejected specifically a "national" government).

17. Ruth Scurr, *Fatal Purity: Robespierre and the French Revolution*. New York: Henry Holt and Company, 2006. \$30.00. (Not published)

With the American Revolution of 1763-1776 (origins) and the first French Revolution of 1789-1791, liberty had a more limited meaning in the context of the 18th century and even the Enlightenment (not as radical as most assume) than it has today. Not yet egalitarian (even some white folk were excluded from politics and not all of them voted) or individualized as it is in modern times, liberty was less about rights as entitlements and the freedom to do whatever one wants than freedom from government (of the unlimited, arbitrary, and mostly monarchical nature of the day). Less revolutions than reform movements, 1776 and 1789 for all of their talk about the sovereignty of the people (not all) or the limited power of kings, these early independence movements in North America and France were really more about recapturing ancient rights lost than defining new ones without limits and destroying society in the process.

What changed the world dramatically and radically, and not for the better for a long time thereafter, was not 1776 or 1789 but the second radical French Revolution of 1792-1794 that culminated in the "Reign of Terror" during which 1,000's of French were killed by their own countrymen-women in the name of "liberty" re-defined by Maximilien Robespierre and Jean Jacques Rousseau. How this happened is the dark subject of Ruth Scurr's riveting and still relevant *Fatal Purity*. Notwithstanding the liberal and limited reform of government and society in America and France, the idea that society itself had to be purified anew in order to set men and women free not only from absolute monarchy and aristocracy but slavery and Christianity—even if this meant civil war and death—was the evil legacy Robespierre and Rousseau.

Echoing Rousseau's famous lament, "Man is free but everywhere in chains," there followed in France a bloody internal war to achieve actual equality without distinction of gender or color rather than before the law only. From this insight—of perfect and not evil human nature—the institutions of society itself were to blame for inequality and misery. For the radical Jacobins, led by Robespierre, their object became the radical perfection of France leading to a purer liberty for all. In effect, state, church, and society had to be created anew no matter the cost. What is more, this new equality (literally for all) was to be reinforced by the state itself (a further sinister notion of Rousseau's and Robespierre's "General Will"). In France, the need to purge the new republic in the making of conspirators against liberty led to infamous Committee of Public Safety (1793-1794) and through this dictatorship of a few was the fatal and bloody path to purify France begun. More ominously for the future, the promise of liberty became linked to repression and totalitarianism!

In a word, revolutionary Romanticism had been born (the later term for radical French ideas after the wars of the 1790's and the aftermath of Napoleon especially among German peoples). More than a literary and artistic

movement, Romanticism was above all a perfectionist impulse which, assuming the goodness and not depravity of humankind, made individuals imminently perfectible, that is, if social-political restraints of all kinds could be removed. Between 1789 and 1848, Europe was a battle ground of competing "isms" as well as of armies. If Romantic perfectionism and nationalism failed to achieve all of their radical aims in Europe, they had more success in America. Not only did Romantic perfectionism and nationalism combine in America of the 19th century once again to liberate human kind from the greatest evil of slavery (in the South), but also of aristocracy (North and South), but its many new "isms" promising universal equality for all provided the Northern origins of our Civil War in the form of Lincoln and the Republican Party.

Those Yankee Transcendentalists and other antebellum reformers it is forgotten were not only Romantics in their goal of perfecting America anew (despite a libertarian past), they were also benevolent Unitarians who rejected original sin and mainstream Christianity along with the Bible. Like Robespierre and Rousseau, freedom became not a matter of individual salvation and reform but from a dramatic re-ordering of society and government for a new birth of freedom to occur. As in France of the second and radical Revolution, and from the other Romantic notion of "nationalism" inherited from Johann Herder, the greatest reform of all was the creation of a state or nation as the best means to assure continued perfection on a sustained basis. In America, this meant that the states of America had to be united over the old union of states and federal republic that America was in the beginning. And the Civil War of Northern-Romantic-and Republic origins came. There was more to the conflict of 1861-1865 than slavery and abolition, after all, as contemporaries themselves recognized.

Limited as the revolutionary results of 1861-1865 were (abolition did not lead to black freedom long after Reconstruction and the Republican Party reverted to its neo-Hamiltonian-pro-business origins), the influence of French philosophy would be revived again in America to inspire the cultural revolution of the 1960's and 1970's and the on-going conflict between traditionalists and secular progressives about the meaning of liberty itself (limited and constitutional versus unlimited and indeed universal). For the continuing relevance of the central themes of *Fatal Purity*, about liberty or what is really its perverse be it anarchy or totalitarianism, and beware of false philosophies or "isms," I direct readers to the chilling analysis of modern America by Roger Kimball entitled *The Long March* (2000). The philosophy of Rousseau is very much alive and his destructive ideas are having their desired ill-effects. Not only is the "Gospel of Emancipation" still being preached along with "the fantasy of absolute Freedom, unfettered by law, custom, or the promptings of morality (page 19), but it requires as well a "Politics of De-legitimization" (known as Political Correctness) to shatter values as the prelude to the imposition of a "General Will" of conformity otherwise know as tyranny. When it comes to liberty, beware of the "Totalitarian Impulse" that inevitably accompanies it. (For the persistence in the South of the image of the French Revolution as radical and led by Jacobins fomenting the uprising of the *sans culotte*, see Eugene D. and Elizabeth Fox-Genovese's recent *The Mind of the Master Class*, 2006. For the Civil War as a clash of ideologies, with the South remaining 18th century Whig-republican in character and the North being influenced by many foreign "isms," see James M. McPherson, *Battle Cry of Freedom*, 1988, and quote on pages 860-861).

'Letters' from Lee: Book provides unique insight into Confederate legend

By Kirk Wood
Special to the Advertiser

November 11, 2007

"Reading the Man: A
Portrait of Robert
E. Lee Through
His Private Letters"

by Elizabeth Pryor Brown
Viking/Penguin U.S.A., \$29.95

"Reading the Man: A Portrait of Robert E. Lee Through His Private Letters" is an important and serious work of scholarship, although author Elizabeth Pryor Brown is not a professional historian.

As a book not intended for a popular audience, it will nevertheless reward the reader who takes the time to study it (literally) with new insights into Lee the person rather than Lee who is often considered an icon for the South, the Confederacy and America itself.

Steering a middle course between hero-worship and undeserved debunking, Brown presents a more realistic portrait of Lee who was no "Marble Man," nor perfect in every way, whether as a man, a husband, a military commander or a defeated Confederate. The basis for this new look at Lee are "about 10,000 manuscript pages (of private letters) written by Lee or his close associates."

For her part, the author's interest in Lee (he was never known as "Robert E." to family and friends) began with "a temporary job with the National Park Service on the restoration of the Lee home in Arlington, Va."

About the letters, they reveal first Lee's fine expressive talents, such as his penchant for writing. Second, Lee emerges as "a far more complex and contradictory man than heretofore portrayed," the author writes. There is "Lee the flirt, the man handicapped by passivity and indecision, the racial supremacist, the humorless sermonizer and the merry companion." Then there is "Lee the natural leader, the sentimental lover of children and animals, the indifferent engineer, the aggressive warrior." All of these characteristics make up Lee, the all-too-human being.

For all of the Lee extended family and their prominence, there was tragedy and failure in abundance, beginning with his father of Revolutionary War fame, Henry Lee, or "Light-Horse Henry." Robert, however, recalled only the "happy days of my boyhood." At West Point, Lee was nearly perfect. His diminutive wife, Mary Custis, is likewise rehabilitated early on from the sharp pen of critical historians. All was not smooth-sailing, however. Lee, we are informed further, came late to religion -- the epiphany occurring about 1853, which contradicts the widely held belief of the Confederate as an abiding Christian from the beginning.

Before 1860, and the secession crisis, Lee was well-regarded as a soldier, performed well in the Mexican War, was happily married and loved his seven children. Considering the difficulties of life in the Army and in general in 19th century America, the Lees fared well enough and the future was promising. Not yet an icon, Lee was nonetheless a model of virtue -- personally and militarily.

For the Custis side of the family, slaveholding was a matter of fact. Talk about it being "evil" or "good" was absent. It was a legacy that had to be confronted and the Custis family proved to be actually paternal. Lee shared a similar view about the "peculiar institution," but was himself more of the abolitionist archetype of a harsh master when he was briefly in charge of Custis properties including Arlington in 1858-1860.

While the author's modern bias toward a too-literal acceptance of the humanitarian nature of the abolitionists needs to be noted (she overlooks their own racism), her own mythmaking continues in her analysis of the Southern secession movement and Lee's decision to join the Confederate cause. Confronting the still-controversial issue of Lee's generalship and his tactics and strategy, Brown recovers when she gets to the matter at hand: Why Confederate defeat and how did Lee contribute to it?

Her answers are carefully worded and begin with the overall lack of men and material on the part of the Confederacy. From this initial lack of resources, the defense of the whole South and not just Virginia should have been the larger strategic vision and a defensive one.

In the end, the implication is left that Lee's penchant for the grand offensive (learned ironically from General Winfield Scott during the Mexican War) versus the plodding course of defense

contributed to final Southern defeat. As she also notes, flaws in Lee's personality heretofore contained became serious ones militarily.

Excellent as this book mostly is, the process by which Lee became not only a symbol of the defeated South but of the nation after 1865 is strangely absent.

Kirk Wood is a history professor at Alabama State University.

LeeAnna Keith, *The Colfax Massacre: The Untold Story of Black Power, White Terror, & the Death of Reconstruction*. New York: Oxford University Press, 2008. 219 pages. \$24.95

by
Kirk Wood
Special to the *Advertiser*
May 11, 2008

This little book by LeeAnna Keith should be required reading for those seeking to understand not only the period of Reconstruction and what it was and was not, but the Civil War that preceded it and what it was about and not. How events of the ante-and post-bellum years converged at Colfax, Louisiana after Easter Sunday in 1873 are masterfully recounted through the lives of key personalities (Capt. Henry Shreve, Meredith Calhoun and heirs from Huntsville, Alabama, and many others, black, Confederate, and Republican) who exhibit the whole range of human behavior from the best to the worst and also illustrate how individuals influence the course of events for good and bad. The author is to be congratulated for writing a book that is highly readable and informative of an era that still has implications for twenty-first century Alabama and America (although the lessons of the past may not be the more familiar ones known in modern times).

Contrary to received opinion, Reconstruction was neither a legitimate restoration of the old Union nor for Republicans solely about the fate and future of freedmen beyond the vote. For that matter, Reconstruction so-called was about the creation of a new America as the states united that began with the denial of secession as a right of revolution (pronounced in the Declaration of Independence along with the equal rights of man). While this meant war against the South, as much to be rid of political-constitutional principles that opposed everything the Republican Party desired as much as to abolish slavery, it also meant war against the Indians in the West (also begun in the 1860's).

To sustain the Republican neo-Hamiltonian economic program (national bank, high tariff, internal improvements, and a trans-continental railroad), and yet to admit critical Southern states back into states united, Republican voters would be needed. Beyond carpetbaggers and scalawags (real people not stereotypes), the obvious answer in the South was to enfranchise freedmen (but not women) and keep them down South (and indeed this decision had already been made in 1862 as detailed by V. Jacques Voegeli in his seminal article in the *JSH* for 2003). The Republican paradox of racism and abolition may have been resolved, but the consequences for post-1865 America would be

momentous and bloody making Reconstruction really an extension of the Civil War itself.

Try as she does to make the Colfax incident in Louisiana of 1873 an exemplar of a just Reconstruction and black freedom defeated by "White Terror" and Southern racism alone, "the death of Reconstruction" is a far more complicated story than her "political correctness" allows. First, there is the incident itself, which she prefers to call a "massacre" in the introduction, but then labels as a "battle" in Chap. 7. And a real battle it was mostly between principled men on both sides who had quite different and conflicting views of government, politics, citizenship, and voting (reflecting the Civil War's origins in newer intentions in the North and original ones in the South).

It became a "massacre" only when local white Republicans fled the scene, which is also a metaphor for the larger Republican abandonment of black freedmen (the real "untold story" of Reconstruction). For this irony, one need look no further than the Republican Party itself and its hypocrisy and duplicity. For Republicans, who waged war against the South by preaching the preservation of the union while they were in the process of remaking it anew as the states united, emancipation itself was always more of a war aim to weaken the Confederacy and predicated upon a Republican racism that meant keeping blacks out of the territories before the Civil War and denying their resettlement in the North after emancipation.

Besides the resentment of being called "rebels" and "traitors" (which they were not), there was anger about the new American experiment in bi-racial politics being conducted on Southern soil alone. Combined with a Reconstruction that was as coercive and intrusive as was once believed (see the author's comments on pages 54, 65, 68-70, 75, 77), the opposition to radical Reconstruction or the redemption of the republic (beyond the South to include the West and the other North) proved to be the bloody albeit principled era it was between 1865 and 1896 with a revived Democratic Party almost winning the presidency in 1876 and being successful twice with Grover Cleveland.

In short, the failure to achieve black freedom on a sustained basis, necessitating a Second Reconstruction a century later, is better understood in terms of Republican Party history and hypocrisy than Southern and Democratic party racism and violence alone. This process of emasculating "Black Power" also involved the judiciary, state and federal, about which readers can follow in detail in the book's last two chapters.

Dr. Wood is professor of history at Alabama State University and author of *Nullification, A Constitutional History, 1776-1833. Volume One. James Madison Not the Father of the Constitution: Other Framers, Different Intentions*

and the Origins of Nullification, 1776-1787 (University Press of America, 2008).

Chandra Manning, *What This Cruel War Was Over: Soldiers, Slavery, and the Civil War*. New York: Alfred A. Knopf, 2007. 350 Pages. \$26.75

By
Kirk Wood
Special to the *Advertiser*
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That slavery was a cause of the Civil War in America cannot be denied. That it was the single and sole factor dividing North and South needs some clarification and explanation, however. If, by slavery, it is meant (as Prof. Manning asserts) the central theme of Southern and Confederate history attendant with their racism alone, then she and many other scholars are incorrect historically. Not only was racism a national phenomena even among 19th century abolitionists and Republicans (not related to Jeffersonian Republicans), but most white Southerners owned no slaves at all. As demonstrated by this reviewer's own extensive research, supported by the work of Prof. James M. McPherson in *For Cause & Comrades* and *Battle Cry of Freedom* (see pages 860-861 of this last named study especially), the South's constitutionalism and advocacy of states' rights were in fact legitimate and historical defenses of the original intentions of the founders (1776) and framers (1787) according to their 18th century radical Whig-republican beliefs, which constituted the first American mind (rather than democracy, nationalism, or abolitionism) and whose origins had little to do with slavery in the creation of the American republic.

If, by slavery, it is meant a long, moral commitment to abolitionism on the part of Lincoln and the Republican Party before 1860, then Prof. Manning and many others are wrong again. While the racism of Lincoln and the Republicans has been documented extensively even by mainstream historians, so too has their real concern, i.e., opposition to the expansion of slavery into the territories. Since the migration of slave-owners with their slaves on a large scale was not about to happen and did not, because of the natural limits of staple crop agriculture, then the Republican opposition to the same was not only exaggerated as a myth (of the "Slave Power"), but also more perplexing considering their racism and desire to maintain the territories for free white labor alone!

Lurking in the maelstrom of territorial politics from the time of the Wilmot Proviso of 1848 (never passed) to the Civil War was another purpose and that was to force Southern secession after which war could be declared not to abolish slavery (this aim would come later after war had commenced), but to conquer the South and reconstruct it to make it Northern. The republican South, of course, opposed every economic policy of the Lincoln-Republican Party. Not surprisingly, even as war was being waged, the Republicans passed national banking legislation, raised tariff rates higher, and otherwise extended national government aid to business-commercial interests.

Viewed for what it really was, a war of Northern-national origins to make the states united at last as a first step in the reconstruction of a new nation (the conquest of

the West and Indians began in 1862, don't forget), then the conflict of 1861-1865 becomes more meaningful less as a North-South conflict between freedom and slavery than one between two different Americas, one of 18th century origins symbolized by the South (and the other North) and the other of distinctly 19th century events and developments symbolized by Lincoln and the Republican Party.

With Romantic nationalism as its primary motive, to make the states united and more perfect as seen in the denial of secession as a right of revolution (equally enshrined in the Declaration of Independence along with the equal rights of man), the Republican party moved toward abolition as a calculated war aim. Before making emancipation official on January 1, 1863, another momentous decision had to be made. To square the paradox abolitionism and their own racism, the Republican administration after September, 1862, forbade the migration to Massachusetts of large numbers of runaway slaves ("contrabands") who had flocked to Union lines on the Virginia peninsula. The American experiment in biracial politics would take place on Southern soil alone not only for revenge against the South, but also to secure black Republican votes essential to maintaining the party in power and passing their neo-Hamiltonian economic policies. The reconstruction of the South had begun long before final Confederate defeat.

For her part, Prof. Manning does her best to overcome the less than idealistic motives of Lincoln and the Republican Party. She does this, first, by limiting her study chronologically to the war years so as not to have to confront the issue of origins. On the other hand, she focuses narrowly on the soldiers of Mr. Lincoln's army. Despite racism among the ranks, she concludes hesitantly that an indeterminate mass remained committed to black freedom and equality. Interesting as a study of the Union army mostly, *What That Cruel War Was Over* is too limited a book to claim that the problem of Civil War origins has been resolved at last.

Kirk Wood is Professor of History at Alabama State University. The first volume of his *Nullification, A Constitutional History, 1776-1833: James Madison Not the Father of the Constitution: Other Framers, Different Intentions, and the Origins of Nullification, 1776-1787* will Be published in April, 2008, by the University Press of America.

Letters to the Editor, *Montgomery Advertiser*:

ALABAMA VOICES: Recall original intent

December 14, 2007

By Kirk Wood

Saturday is Bill of Rights Day. Like Constitution Day on Sept. 17, celebrations of these events, worthwhile as they are, obscure more than they reveal about 1776, 1787 and original intentions.

While the 18th century republicanism of our founders and framers (not to be confused with the later Republican Party of Abraham Lincoln) is understood as a government without a king and one for the public good, early Americans' commitment to federalism and states' rights is somehow neglected, if not avoided altogether.

The connection between republicanism and federalism was an outgrowth of the larger relationship between the English colonies in North America. Would there be *imperium in imperio* - sovereignty within sovereignty -- or not? Always a matter of debate between 1688 and 1763, this basic issue of sovereignty was decided absolutely by king and Parliament after 1763 and the great British victory over France for control of North America.

In declaring their independence on July 4, 1776 (after a clash of arms at Lexington and Concord in 1775), the English colonists became confirmed republicans and federalists at one and the same time. As former colonies and now as independent states, *imperium in imperio* became a reality in America.

Having seceded from the haughty British Empire for rule at home, the colonists were not about to create a strong government here. And they did not.

Indeed, rejecting a "national" government as proposed by James Madison with his Virginia Plan, those we know as anti-federalists began their campaign to make the proposed government truly republican and federal. This they accomplished by making recommendatory amendments, a process begun in the Federal Convention itself and not solely after Sept. 17 and persisted in during the state ratification debates of 1787-1788.

Since states were the soul of a confederacy, and because republics were best secured in a small territory (as taught by Montesquieu), they had to be represented in the structure of the new government and provide the foundation of republican government in the large territory of North America (as small republics themselves).

While states and their rights were first confirmed with their equal representation in the Senate (by the Great Compromise of July 16, 1787), there remained the states themselves and their role and rights if they were no longer to be sovereign and independent as under the old Articles of Confederation.

To make a long story short, the anti-Federalists (and not Federalists or *The Federalist*) devised a practical as well as an ideological solution. By making a distinction between powers delegated (few and specific) and those reserved (all the rest), the anti-Federalists literally invented modern federalism.

In keeping with the new American idea of checks and balances (to make separation of powers more than a paper barrier), only a positive power of self defense given to the branches of government could assure their independence from each other. This was logically extended to the states by the Tenth Amendment.

That Tenth Amendment was no mere afterthought. In the hundreds of amendments proposed by the anti-Federalists, the rights of states were right up there with the rights of individuals. They were in fact inseparable.

On Dec. 15 then, let's celebrate the entire Bill of Rights and the history behind them. The recent revival of states' rights and federalism, moreover, is about recapturing original intentions originally from many different intentions introduced over the course of American history.

There is only the Constitution as amended. While the Bill of Rights was not ratified until Dec. 15, 1791, they were proposed long before that date and without them there would have been no ratification.

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