The Japanese Journal of American Studies, No. 24 (2013)

The Politicization of the Slavery Issue in the Early American Republic

*Eisaku KIHIRA**

In October 1858, Senator William H. Seward of New York, in what was later called the "Irrepressible Conflict" address, seriously condemned American slavery and proposed that the newly born Republican Party should aim for its total extinction in the United States.[1] Republican Party leaders, including Seward himself, however, did not consider until the Civil War that the federal government had the constitutional power to outlaw slavery established as a legal institution in the southern states. In this address, Seward certainly defined the constitutional system of the United States as a confederation of states. His basic political understanding of the federal system is worthy of examination in the context of the politics of slavery leading up to the Civil War.

American scholars usually assume that US political discussions in the antebellum period centered on the basic conflict between states' rights unionism and organic nationalism as two opposed political ideologies, as historian Charles Sellers has described in his great work, *The Market*

Copyright © 2013 Eisaku Kihira. All rights reserved. This work may be used, with this notice included, for noncommercial purposes. No copies of this work may be distributed, electronically or otherwise, in whole or in part, without permission from the author.

*Professor, Teikyo University

Revolution.[2] This interpretation is sufficiently persuasive when considering the string of political and social conflicts concerning the policies proposed by the National Republicans in the 1820s and later the "American System" as it was called by Henry Clay. This assumption, however, has some difficulty explaining why Seward considered it indispensable for American constitutionalism that there be cooperation between the states and the federal government in dealing with the slavery issue on the brink of the Civil War.

Seward was a prominent nationalist in mid-nineteenth-century America in that he insisted on the indivisibility of the United States, calling his country "one nation." However, he and other leaders of the Whig Party, to which he belonged before the founding of the Republican Party, also saw the US constitutional system as a "confederacy" with maximum states' rights short of sovereignty.

Thus, the conception of "organic nationalism" as termed by Sellers as being set forth in an address by Daniel Webster in 1830, might be seen as the concept of unity and integrity of the federal system that also respects states' rights. Through the antebellum period up until the early 1850s, the political reality was the continual making of compromises between the Whig Party, with its stress on federal power, and the Democratic Party, with its states' rights arguments. In other words, based on the states' rights argument, slavery was a legal institution required to be protected alongside of its being an important labor system in the United States. Partly because of these facts the slavery issue was evaded in serious discussion in Congress for almost thirty years.

In this essay I discuss the political dynamics of the way the slavery issue was evaded in federal politics for such a long time. I then describe the political process in which the slavery issue came to enter political debate in Congress after the mid-1840s.

I

In the first decade of the nineteenth century slavery in the United States came to be called the "peculiar institution." This was after the eight states north of Pennsylvania decided to outlaw slavery or to adopt laws for gradual emancipation. In 1799, New York enacted a gradual abolition law after several failures, and in 1804 New Jersey followed suit. The term "peculiar institution" meant that slavery in the southern states should be legally protected as a domestic system within the United States, although

it was not based on federal authority other than the constitutional "three-fifths" and "fugitive" clauses. In the 1810s, with early commitment to eventual emancipation arising from the American Revolution fading away, slavery began a remarkable growth due to the demand for cotton. The slave population increased from 657,000 in 1790 to 1,160,000 in 1810. It numbered 1,508,000 in 1820 at the time of the debates over Missouri's admission to the union as a slave state.

In February 1819, the so-called Missouri debates started with the introduction of an amendment by Congressman James Tallmadge of New York, to wit, "that the further introduction of slavery or involuntary servitude be prohibited . . . and that all children born within the said State, after the admission thereof into the Union, shall be free at the age of twenty-five years." This amendment, if passed in Congress, would restrict the important right of a new state to make its own laws regarding slavery. The bitter two-year debate over this amendment transformed federal politics in the late 1810s to 1820s.

On the one hand, antislavery arguments continued in popular discussions from the time of this conflict forward, even if the core arena of debate shifted from powerful politicians to other social groups. In addition, after the Missouri debates American politics took up the slavery issue in relation to what the nation's territories, or frontiers, should be. This fact deserves fuller treatment from a viewpoint of comparative history, as one of the common trends in modern world history. Generally speaking, the frontiers of modern nation-states, rather than simply marking the peripheries distant from the center, have tended to involve serious conflicts related to the nation's society and politics. This is because modern nation-states have wanted to establish their authority in certain territories through homogenizing social institutions and culture. These homogenizing pressures have been most pronounced in frontier areas. It is not strange then that frontier areas in antebellum America often gave a clear expression of sectional and class conflicts latent in the main society because of the incessant territorial expansion of the United States.

On the other hand, paradoxically, the Missouri debates actually came to a political settlement contrary to the antislavery momentum of the time. Let me trace the congressional arguments in 1820 briefly. A central issue of the controversy was the problem of how to define federal power, although the slavery issue was what was mainly debated.

In support for the Tallmadge amendment Rep. John W. Taylor of New York demonstrated an original ideology of organic nationalism that

was slightly different from the one later put forward by Daniel Webster. On February 11, 1819, quoting the third section of Article 4 of the Constitution, Taylor defined federal sovereignty in relation to territories:

> The whole subject with the Territories is put at the disposal of Congress. . . . Is it pretended that . . . one individual can have a vested property not only in the flesh and blood of his fellow man, but also in generations not yet called into existence? . . . The Constitution itself has vested in Congress full sovereignty, by authorizing the enactment of whatever law it may deem conducive to the welfare of the country. The sovereignty of Congress . . . in regard to the Territories, is unlimited.[3]

It might seem that the above argument is an expression of rising nationalism after the War of 1812. This momentum also had the important effect of producing an opposite trend in relation to states' rights. Indeed, Taylor's argument even disturbed supporters of the Tallmadge amendment with its unexpected federalist tone. Northern Republicans following Taylor attempted to revise his theory a little, for they consciously emphasized that the sovereignty of Congress did not extend to established slavery in the southern states.

The Missouri debates came to an end in 1821 with a kind of defeat for the northern Republicans who had supported the Tallmadge amendment. Southern slaveholders won, not only because Missouri was admitted as a slave state, but also to the extent that they secured from the northern states consent to introduce slavery into the Louisiana Territory south of 36°30' latitude. It is also worth mentioning that the Missouri Compromise made the organic nationalism theory later developed by Henry Clay and Daniel Webster more moderate than that proposed by Taylor in 1819. Ten years after the Missouri debates, the famous model of organic nationalism presented by Webster in Congress reflected a delicate change of political climate from the 1820s.

In January 1830, Webster first described the emerging sectional conflicts not only as being between south and north but also between east and west, while asserting that states' rights were fundamental to the American constitutional system and to achieving national greatness. He especially recognized the serious clash of interests involved in the disposal of public lands. Nevertheless, he demonstrated his intention to encourage internal improvement projects even in such a conflicted circumstance, and pointed

out the necessity of paying attention to the interests of each state. The address, later called "Reply to Hayne," included the following:

> Gentleman, Sir. . . . I know . . . that it is the settled policy of some persons in the South, to represent the people of the North as disposed to interfere with them. . . . But it is without adequate cause. . . . Such interference has never been supposed to be within the power of government. . . . The domestic slavery of the Southern States I leave where I find it,—in the hands of their own governments. . . . It is the original bargain, the compact; let it stand. . . . The Union itself is too full of benefit to be hazarded in propositions for changing its original basis. I go for the Constitution as it is, and for the Union as it is.[4]

After the end of the War of 1812 a strong nation-oriented mentality arose, including advocacy of greater powerful federal power. However, as if denying this nationalistic mentality, because it was freed from the pressures of international turbulence after the close of the Napoleonic Wars, American society actually began to show a horizontal expansion toward the interior regions with increasing decentralization.

One of the significant trends was a growing wave of migration from New York, Pennsylvania, and western Virginia into the former Northwest Territory beyond the Alleghenies. The interests of states multiplied with the increase in the number of states and required a new federal theory for integrating them in the 1820s. It is very symbolic that, as historian Richard Ellis has indicated, some decisions of the Marshall Supreme Court handed down during the second decade of the nineteenth century, were repeatedly challenged with a rebirth of concern for states' rights.[5] These changes of political circumstance, along with the market revolution that had just started in the 1820s, led to the emphasis on states' rights such that slavery as a peculiar institution of the south was free to extend westward without any overt interference from the federal government.

When the historical second-party system came into play consistently remains a moot question, but at least by 1828 a powerful group of politicians headed by Martin Van Buren in New York had the idea of forming new national partisan politics. They were the fraction called Bucktails in New York State politics struggling against the establishment under control of Governor Dewitt Clinton. After having taken a seat in the US Senate in 1821, Van Buren showed his great ambition to mold several fractions of the Democratic-Republicans into a strong national party,

particularly by making an alliance between rising political groups in the north and the planters in the south. The Democratic Party, led by Andrew Jackson beginning in 1828, was thus the result of the coalition that the Van Buren group had formed.

Historian Sean Wilentz points out that Bucktails, which advocated the enlargement of white male suffrage in the early 1810s, was the driving force for democratizing New York politics in that their political base consisted of small farmers and artisans as well as the emerging class of merchants and industrialists.[6] To be sure, they were so. Bucktails and other northern Democrats stood against the traditional Republican establishment in New York, with its federal connections and values of virtue and deference. Therefore, with their common ideology of states' rights, these new northern Democrats played an important historical role in hammering out the popular politics known as Jacksonian Democracy in the northern society, on the one hand. The organization of the Democratic Party by Van Buren and his compatriots on the national level, on the other hand, meant that American party politics had an unwritten rule never to take serious sectional issues, especially the slavery issue, into national consideration. In an 1828 letter to Thomas Ritchie, an influential journalist from Virginia and a leader of "Richmond Junto," Van Buren set out his ideas on the subject:

> Political combinations between the inhabitants of the different states are unavoidable, and the most natural and beneficial to the country is that between the planters of the South and the plain Republicans of the North. The country has flourished under a party thus constituted, and may again. . . . If the old ones are suppressed, geographical divisions founded on prejudices between free and slave holding states will inevitably take their place. Party attachment in former times furnished a complete antidote for sectional prejudices by producing counteracting feelings. . . . Formerly, attacks upon Southern Republicans were regarded by those of the North as assaults upon their political brethren and resented accordingly. . . . It can and ought to be revived.[7]

No doubt, the core of the letter was that creating a new party affiliation had to master "sectional prejudices" so that attacks on southern Democrats would be regarded by northern Democrats as assaults on political brethren. This was the dynamism of Democratic Party coalition politics, with the

result that slavery was not picked up as a serious issue in federal politics from 1829 through 1840 when the Jackson and Van Buren administrations controlled the nation. During this period slave plantations expanded into the Mexican Gulf states to create the "cotton kingdom." It is needless to say that the Indian removal policy executed by the Jackson administration contributed to the establishment of this cotton kingdom. The increase in the slave population during this period was remarkable: from 1,980,384 in 1830 to 2,427,986 in 1840.

Thus, it was deliberately and politically determined that the slavery issue was kept under wraps for a quarter of a century after the Missouri debates, when the second two-party system took shape and the market revolution made an explosive advance. American society, however, did not ignore the issue completely even though federal politicians appeared to forget about it. Here I will discuss two events of the 1820s to 1830s that influenced the way American politics would later take up the slavery issue.

The first is that in 1833 the British Parliament passed a bill that emancipated nearly eight hundred thousand slaves in their colonies, including those in Jamaica and other Caribbean colonies. This British large-scale slave emancipation brought into daylight US slavery as the most inhuman institution in the world. At the same time, this event internationalized abolitionist movements, which became a real threat to slaveholders in the American south.

A second circumstance was the rise of American abolitionism from the early 1830s on. In January 1832 the New England Anti-Slavery Society was organized by twelve abolitionists led by William Lloyd Garrison. Throughout the 1830s they conducted a massive propaganda campaign, held lecture meetings in northern communities, and presented Congress with petitions to outlaw slavery in Washington, D.C. Although these activities had a certain influence in awakening interest in the slavery issue for middle-class citizens, including many women in northern states, I will just note here that American abolitionists faced a great schism in their own movement in 1839. My following discussion deals with the 1840s, after the peak of the American abolitionist movement.

II

As historian Daniel Howe has described, the 1840 national election showed some important features in the changes in national politics during the first half of the nineteenth century.[8] For the first time since

their organization as a party, the Whigs swept all elections, including the presidency and both houses of Congress. It was impressive that Whig candidate William Harrison beat incumbent Democrat president, Martin Van Buren, with a massive voter turnout of 80.2 percent of the qualified electorate, a dramatic increase over the 57.2 percent turnout four years earlier. The high voter participation reflected the definition of the two parties' positions on political issues, while the parties competed to mobilize voters in every race. The social situation in the late 1830s to 1840s merits a more detailed examination here.

The 1840 election occurred during economic hard times—the serious depression after 1837. Citizens of various social classes and economic interests had new concerns that they expressed in local and federal politics; for example, hard-hit farmers and unemployed artisans looked for mitigation of their distress. Moreover, the transportation revolution and westward migration led to forming social and economic links between the East and the former Northwest Territory in the 1830s to 1840s; diversity of the US national economy also meant there was remarkably increased urbanization. It was not only the case that the states of the former Northwest Territory had an increase in population, but also conflicts between social classes were spreading in cities.

Most important, the progress of this market revolution had so strong an impact on political structures as to give birth to a new political culture in the northern states that completely took the place of traditional deferential politics. The defining of two opposing positions on political issues by the two parties reflected the new culture. For example, historian Harry Watson has explained the 1840 campaign by the Whigs in this new economic context:

> One typical speaker to the Whig young men's convention in Baltimore blamed hard times on Democratic efforts to pit the poor against the rich. . . . Contrasting Whig views of prosperous social unity with Jacksonian divisiveness, Judge Hudson appealed directly to the commercial leanings of farmers and artisans who had tasted the benefits of the new market economy and wanted more. . . . In effect, Whigs were defending a version of the "trickle-down" theory of prosperity: promoting the interests of businessmen promotes the interests of all classes.[9]

The high voter participation the Whigs were able to achieve in 1840

partly reflected the expectation on the part of the new middle classes that they could participate in the market revolution.

At the same time, the new political culture of northern middle-class Americans was based on complex issues beyond practical economic interests. As is well known, a variety of evangelical reform movements that had begun in New England spread beyond upper New York and into the new northwestern states in the 1830s to 1840s, creating a new political culture and order in the rural and small town environments. It might be said that the new culture had two sides in emphasizing both self-discipline and communal order. Piety, diligence, and family love were praised for self-discipline, while communal order comprised Sabbath observance, temperance, penal reform, the creation of asylums for the insane, and similar endeavors. Also, religious reformers attached importance to Sunday school education, first as a branch of self-discipline and then as a communal reform.

Whatever reforms they might propose, the evangelical movements spreading throughout the northern states were characterized by emphasizing the voluntary, individual activities of citizens, including the working classes. Historian Daniel Walker Howe has appropriately described the organizers of these movements as "the champions of modernization, that is, of changes in the structure of society and individual personality that emphasized discipline and channeled energies by the deliberate choice of goals and natural selection of means."[10]

To generalize, the most important political fact was that the Whigs enlarged their voter support tremendously in the northern regions that had been invested in this new political culture, whether agricultural or urban, while the market revolution strongly created an integrated national economy during late 1830s to 1840s. In contrast, the northern Democrats tended to find supporters in underdeveloped rural areas short of useful transportation facilities and among the lower classes and immigrants in the urban environments. The result was that in the politics of the antebellum two-party system, the Whigs (later to become Republicans) and the Democrats showed a remarkable division as to who their supporters were along regional and class lines.

Given these changes in northern society, it is also interesting that the abolitionist movement as a type of evangelical movement since the early 1830s undertook massive action campaigns in these Whig areas. In fact, a large majority of the population of the northern communities viewed such abolitionism with strong distaste because abolitionists' campaigns

criticized racism and racial relations within northern societies as well as the institution of slavery elsewhere. Even so, northern citizens involved in the market revolution began to develop a negative attitude toward slaveholders in the south who opposed abolition with arguments hostile to free labor. This was the "free labor ideology" that historian Eric Foner discussed in the 1970s as the core ideology that northern society gradually defined through the grotesque debate between northerners and the southern planters, "that free labor was economically and socially superior to slave labor and that the distinctive quality of northern society was the opportunity it offered wage earners to rise to property-owning independence."[11]

The concept of "free labor ideology" has been modified by later historians. Particularly, from the 1980s on, several historians challenged Foner's free labor thesis on the basis that a "free labor ideology," if such existed in antebellum America, was an idea held in common by both Whigs and Democrats in the north. This was an important question to be answered. With this problem, historian John Ashworth offers a new perspective for distinguishing between the free labor ideology of Whigs (later Republicans) and northern Democrats. In a 1996 article, Ashworth argues that for many Democrats in the 1840s and 1850s a worthy citizen was still either a farmer or an "independent mechanic." Although the northern Democrats were certain that free labor was superior to slave labor, they did not extol the wage-labor system that was arising in the northern cities. What they praised instead was agriculture, which promised a more natural, healthful, and independent life on the land, so that most Democrats did not address the wage-labor system except simply to record the conditions of wage workers.[12]

In contrast, for the new Whigs (who later became Republicans) the wage-labor system was a serious issue that had to be dealt with even if they had some criticism of it. Ashworth states that most of these new Whigs had already reconciled themselves to wage labor by the early 1850s and came to view it as a key element in the social order from then on: freedom, equality, the national union, and American democracy that were important for everyone depended on the existence of wage labor. Thus their free labor ideology was sharply distinguished from the thinking of northern Democrats in regard to the wage-labor system.

It was this dynamic attitude toward wage labor that led the new Whigs to take an original stance against slavery in the south, different from the views of northern Democrats. Certainly most Democrats expected the

expansion of agricultural land in the west, but as their perspective on western land was almost static, they never opposed slavery coming to the new territories as long as they could be free of slave labor in their own territory. In contrast, the new Whigs strictly refused a symbiotic relation with slavery in the sense that slavery was absolutely opposite to all their beliefs in freedom, equality, democracy, and the American union even though they might have racist attitudes regarding their own society. They also had a tendency to be nationalist in their ideology, with their image of the American nation as being that of their own northern society passing through a market revolution.[13]

Such social consciousness, or free labor ideology, took shape in northern society more clearly in the late 1850s than in the 1840s because the Republican Party was by then ideologically established on its basis. However, the mentality already existed in the early 1840s as seen in the speeches of several cultural leaders who were Whigs. The typical example is an address, later called "The Present Age," given by Unitarian preacher William Ellery Channing in 1841.[14]

Meanwhile, the discipline of the two-party system continued to be successful in keeping the slavery issue out of national politics until the mid-1840s, although new ideological conflicts concerning slavery gradually took shape between north and south. It might be a historical paradox that the Democratic Party changed this stiffened political situation of the mid-1840s through its extraordinarily aggressive policies for territorial expansion.

The 1844 presidential election also had a great impact on federal politics. This time the victory of the Democrats opened the way for the annexation of Texas in 1845, and, furthermore, it led to the Mexican-American War of 1846–48 during the new administration of James Polk.

In August 1846, just three months after the beginning of the war, the so-called Wilmot Proviso to prohibit slavery in any territories obtained from Mexico was proposed by Congressman David Wilmot of Pennsylvania, as an amendment to an appropriations bill to fund the war. When the House adopted the amendment it gave shape to a basic outline of political conflicts and debates concerning slavery that would last almost fourteen years, until the outbreak of the Civil War. The core elements of the following conflicts were, first, the strong stand that the Democrats took in supporting the aggressive war, and second, the debate about how to deal with the new territory acquired as a result of the war, particularly the question of slavery there.

There is no doubt that the war with Mexico was begun mainly on the initiative of southern Democrats in the Polk administration, but historians also have addressed the part of northern Democrats, the so-called young Democrats, in regard to western territorial expansion. Democrats, north and south, believed that western expansion was a necessary and practical requisite for maintaining individual freedom and republican government in the United States. At the same time the war fulfilled the economic expectations of ambitious manufacturers and commercial merchants, if not a majority of them.

In contrast, most Whigs took a strongly critical attitude toward expansion, from the annexation of Texas to the Mexican-American War itself, though there were a variety of individual responses. For example, the *American Review*, the so-called Whig journal, made a strong case against the war from beginning to end. In October 1847, the *Review* defined the war as an invasion begun "mainly for the unhallowed and wicked purpose of wringing from the distractions and weakness of our neighbor republic, by conquest, or a forced cession, her ancient and rightful possessions." Later, the *Review* argued against bringing slavery into the territories:

> [Our people] are against more territory by war and conquest. . . . [Last winter Democrats heartily united] in the project of bringing in new territory into the United States, even by the power of the sword, from which slavery could not be executed, if at all, without a struggle which might bring down the pillars of the Union in ruins. . . . We want, and will have, no Mexican provinces as the fruits of our conquests in that country, annexed to the United States, to form hereafter States of this Union.[15]

In other words, if new territory were acquired, the nation would get involved in a tremendous struggle over slavery there. For new Whigs, this anxiety gave grave meaning to federal politics after the late 1840s.

It was at this time that the southern congressional leader John C. Calhoun made a serious address in favor of slavery in new territories. In February 1847, Calhoun propounded the theory that slavery should have a right to be introduced into all new territories through the states' rights principle under the Constitution. He began with the following argument: "Ours is a Federal Constitution. The States are its constituents, and not people. . . . Every State, as a constituent member of this Union of ours, should enjoy all its advantages, natural and acquired." Then he applied his

states' rights theory to the slavery issue in new territories:

> How do we stand in reference to this territorial question? . . . It is the common property of the States of this Union. . . . These territories are the property of the States united: held jointly for their common use. And is it consistent with justice . . . that any portion of the partners, outnumbering another portion, shall oust them of this common property of theirs? . . . I hold it to be a fundamental principle of our political system, that the people have a right to establish what government they may think proper for themselves; that every State about to become a member of this Union has a right to form its government as it pleases. . . . Now, Sir, what is proposed? It is proposed, from a vague . . . and most dangerous conception of private individual liberty, to overrule this great common liberty which a people have of framing their constitution![16]

Here American historians might remember that Frederick Merk pointed out the strong taste of expansionists for the principle of states' rights that led to the doctrine of Manifest Destiny in the 1840s first in relation to Texas. Merk also argued that the states' rights principle particularly legitimized the expansion of slavery into new territories for Democrats, both southern and northern. In fact, a prominent northern Democrat, Stephen Douglas, later picked up the doctrine of popular sovereignty as a new version of states' rights expansionism.[17]

The new Whigs in the late 1840s, however, began to create an original conception for not accepting the extension of slavery into new territories, one that combined free labor ideology, the new reform mentality, and their own idea of the nation. They especially condemned the slave power aiming for the extension of slavery, believing that the aggressive expansion polices promoted by Democrats would undermine the political balance of the United States as a nation-state.

To be sure, the conflict over how to deal with the new territories acquired from Mexico ended for a while in the so-called Compromise of 1850 in Congress. But a continuing struggle between the Democrats for rapid expansion and the new Whigs over the issue of slavery was inevitable. It is historically very important that this conflict in time led to the organization of a new party, the Republican Party, by pulling apart the traditional Whig Party in the mid-1850s. And it can be seen in the debate that ended in the 1850 Compromise that reorganization of the Whigs

was coming near. This was clear in the address given by Senator William Seward in March 11, 1850, in the midst of the conflict.

Seward's address brought out a remarkable contrast between the old Whigs and a new Whig leader when it was given seven days after a proposal of compromise by Henry Clay and two days after an address by Daniel Webster, both leading politicians in the traditional Whig Party. Webster had offered an opinion that Whigs would withhold the enforcement of the Wilmot Proviso in the case of New Mexico if California were admitted as a free state. On other issues as well, Webster had encouraged the Whigs to accept the compromise proposed by Clay.[18] Seward, on the other hand, showed a strong determination to outlaw slavery in all new territories acquired as a result of the Mexican-American War by using the remarkable concept of a "higher law" that went beyond the US Constitution:

> [The compromise] assumes that slavery is at least a ruling institution [of a slave state], and that this characteristic is recognized by the Constitution. But slavery is only one of many institutions there. . . . [F]reedom, on the contrary, is a perpetual . . . one in harmony with the Constitution. . . . But there is yet another aspect in which this principle [of compromise] must be examined. It regards the domain only as a possession, to be enjoyed, either in common or by partition, by the citizens of the old States. It is true that it was ours. . . . But we hold, nevertheless, no arbitrary power over it. . . . The Constitution regulates our stewardship; the Constitution devotes the domain to union, to justice, to defense, to welfare, and to liberty.
>
> But there is a higher law than the Constitution, which regulates our authority over the domain. . . . The territory is a part . . . of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards, and must so discharge our trust as to secure, in the highest attainable degree, their happiness.[19]

Seward, one of the rising leaders of the Whig Party, refused any compromise in which slavery might be allowed in any new territories. Moreover, he condemned slavery as hostile to any republican state in terms of a higher law. Then, eight years after this "Higher Law" address, Seward clarified his goal of totally extinguishing American slavery in his "Irrepressible Conflict" address of 1858. Such an accumulative attitude against American slavery shown by Seward from 1850 to 1858 paralleled

the dynamic political process in which the Republican Party was born out of the dissolution of the Whig Party to become one of two dominant political parties in 1856, when a discussion of the slavery issue could no longer be avoided in federal politics. The whole process might be called the politicization of the slavery issue in the United States in the mid-1850s.

III

In conclusion, as I have described, Seward expressed from 1850 to 1858 a desire to outlaw the whole of American slavery. It meant that he absolutely denied the theory that the Constitution allowed for the right of new states as well as old to adopt slavery, which not only John Calhoun but also Stephen Douglas put forward in the name of popular sovereignty. Did Seward, however, deny the states' rights principle itself? As I mentioned in the beginning, we must judge from what he said before the Civil War that Seward never denied the principle of states' rights itself even though he condemned states' rights expansionism in the 1850s. In the "Irrepressible Conflict" address of 1858 Seward said:

> It remains to say on this point only one word, to guard against misapprehension. . . . While I do confidently believe and hope that my country will yet become a land of universal freedom, I do not expect that it will be made so otherwise than through the action of the several states cooperating with the federal government, and all acting in strict conformity with their respective constitutions.[20]

There is no doubt that Seward offered in this address the perspective of promoting emancipation with proper compensation in cooperation with the slave state governments while eventually achieving the total extinction of American slavery. It is because slaves might be defined as property in municipal laws and, also, because slavery was a legal institution, even if "peculiar," that he saw it as protected by the Constitution under states' rights. Seward might well have been asked: How could American slavery be abolished through such compensative emancipation when the 3,838,765 slaves were estimated to be worth over $3 billion, only a little less than the gross national product of the United States in 1860? Immediately before the beginning of the Civil War, Seward had the conception that slavery should be totally abolished in the United States. At the same time, he thought that abolition should be done through compensative emancipation,

perhaps gradually, and moreover in cooperation with the slave states, with respect for American federalism. Seward's perspective was thus clearly indicative of the complex circumstances that the Lincoln administration had to face after the beginning of the Civil War.

NOTES

This is a slightly revised version of my presidential speech given at the 46th Annual Meeting of the JAAS held on June 2–3, 2012, at Nagoya University, Aichi.

[1] William E. Seward, "The Irrepressible Conflict," October 25, 1858, in *The Works of William H. Seward*, vol. 4, ed. George E. Baker (New York: Houghton Mifflin, 1889), 289–94.

[2] Charles Sellers, *The Market Revolution: Jacksonian America, 1815–1846* (New York: Oxford University Press, 1991), 312–16. Sellers has used the term state-rights unionism, not states' rights unionism.

[3] US Congress, *Annals of the Congress*, 15th Cong., 2nd sess., February 15, 1819, 1171–73.

[4] A. J. George, comp., *Select Speeches of Daniel Webster*, *1817–1745*, with preface, introduction, and notes by A. J. George (Boston: D. C. Heath, 1905), 157–59.

[5] Richard Ellis, "The Market Revolution and the Transformation of American Politics, 1801–1837," in *The Market Revolution in America: Social, Political, and Religious Expressions, 1800–1880*, ed. Melvyn Stokes and Stephen Conway (Charlottesville: University Press of Virginia, 1996), 165.

[6] Sean Wilentz, *The Rise of American Democracy: Jefferson to Lincoln* (New York: W. W. Norton, 2005), 189–96.

[7] Quoted in Robert Pierce Forbes, *The Missouri Compromise and Its Aftermath: Slavery and the Meaning of America* (Chapel Hill: University of North Carolina Press, 2007), 214.

[8] Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815–1848* (New York: Oxford University Press, 2007).

[9] Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America* (New York: Hill and Wang, 1990), 218–19.

[10] Daniel Walker Howe, "The Evangelical Movement and Political Culture in the North during the Second Party System," *Journal of American History* 77 (March 1991): 1216.

[11] Eric Foner, "Free Labor and Nineteenth-Century Political Ideology," in *Market Revolution in America*, 99; Eric Foner, *Free Soil, Free Labor, Free Men: the Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970).

[12] John Ashworth, "Free Labor, Wage Labor, and the Slave Power: Republicanism and the Republican Party in the 1850s," in *Market Revolution in America*, 113–37.

[13] Ibid., 137–41.

[14] William Ellery Channing, "The Present Age," May 11, 1841, in *The Completed Works of William Ellery Channing* (London: "Christian Life" Publishing Company, 1884), 156–64.

[15] "Whigs and the War," *The American Review: A Whig Journal* 6, (October 1847): 331 and 345.

[16] John C. Calhoun, "Speech on the Slavery Question," February 19, 1847, in *The Essential Calhoun: Selections from Writings, Speeches, and Letters*, ed. Clyde N. Wilson (New Brunswick, NJ: Transaction, 1992), 386–87.

[17] Frederick Merk, *Manifest Destiny and Mission in American History: A Reinterpretation* (New York: Random House, 1963), 57–60.

[18] US Congress, *Congressional Globe, Appendix to the Congressional Globe*, 31st Cong., 1st sess., March 7, 1850, 274–76.

[19] US Congress, *Congressional Globe, Appendix to the Congressional Globe*, 31st Cong., 1st sess., March 11, 1850, 262–65.

[20] Seward, "The Irrepressible Conflict," in *Works of William H. Seward*, vol. 4, 293.