Lincoln Lore

February, 1986

Bulletin of the Louis A. Warren Lincoln Library and Museum. Mark E. Neely, Jr., Editor.
Ruth E. Cook, Editorial Assistant. Published each month by the
Lincoln National Life Insurance Company, Fort Wayne, Indiana 46801.

Number 1764

STEPHEN DOUGLAS AND THE UNION

Orville Hickman Browning, though a Republican and a friend of Abraham Lincoln's, was nevertheless among those Senators who rose to eulogize Stephen A. Douglas after his death in June 1861. "There were but few political acts of his life which met my approval," Browning said, "with the exception of such as were crowded into the interval between the fall of Sumter and his death. . . . the patriot triumphed over the partisan, and . . . he threw the entire weight of his great influence on the side of his country in the hour of her greatest need. . . . Whatever contrariety of opinion may exist as to the influence of his political policy and measures upon the destiny of the nation, the verdict of posterity, the judgment of history, will be, that he went down with his patriotism unseduced, and with no stain upon his loyalty."

Browning was right. Now, a hundred twenty-five years after the Little Giant's death, his loyalty remains unstained. Historians may well be said to rank him as the supreme nationalist in American history. Abraham Lincoln may have saved the Union in the Civil War, but Lincoln had also just as surely risked it in 1860-1861 for the sake of liberty. On this score Douglas seems, if anything, more consistent and more tirelessly devoted. Almost all historians, whatever they think of Douglas' political career before 1857, rate him after that date as a statesman of tragic energy.

Douglas risked ridicule and even physical harm in 1860 when he chose to carry his presidential campaign into the South. He knew from the results in states which voted in October that his chances of winning the presidency were nil, but he went on campaigning, not for votes but for the Union, taking the message that secession was illegal and uncalled for as a response to a constitutionally elected president. After Lincoln's election Douglas worked ceaselessly and feverishly for various compromise schemes — so-called unamendable amendments to the Constitution which would forever protect slavery in the fifteen states where it already existed, amendments to redraw the old Missouri Compromise line of 36°30′ to the Pacific and to divide thereby forever the free territories from those where slavery would be permitted, and amendments to bar Negroes from voting or holding office and thus guarantee a white America — anything which might get North and South off their collision course. As historian Damon Wells, author of *Stephen Douglas: The Last Years, 1857-1861,* (Austin: University of Texas Press, 1971) expresses it: "He lent his support to almost every one of the major compromise proposals that filled the overheated political atmosphere of Washington in the early months of 1861, and he was one of the sponsors of the Crittenden Amendment — the most important of them all."

When all these efforts failed and the Confederacy attacked Fort Sumter, Douglas became a pugnacious Unionist, who stoutly proclaimed, while many other Northern Democrats were wavering and fearful of speaking out boldly for the government's defense lest they sound exactly like the Republicans, "There can be no neutrals in this war; only patriots and traitors." Douglas stated without qualification that "the shortest way to peace is the most stupendous and unanimous preparation for war." When asked about the problem of the hundreds of Confederate sympathizers stranded in Washington, D.C., at war's outbreak, Douglas answered, "If I were President, I'd convert them or hang them all within forty-eight hours."

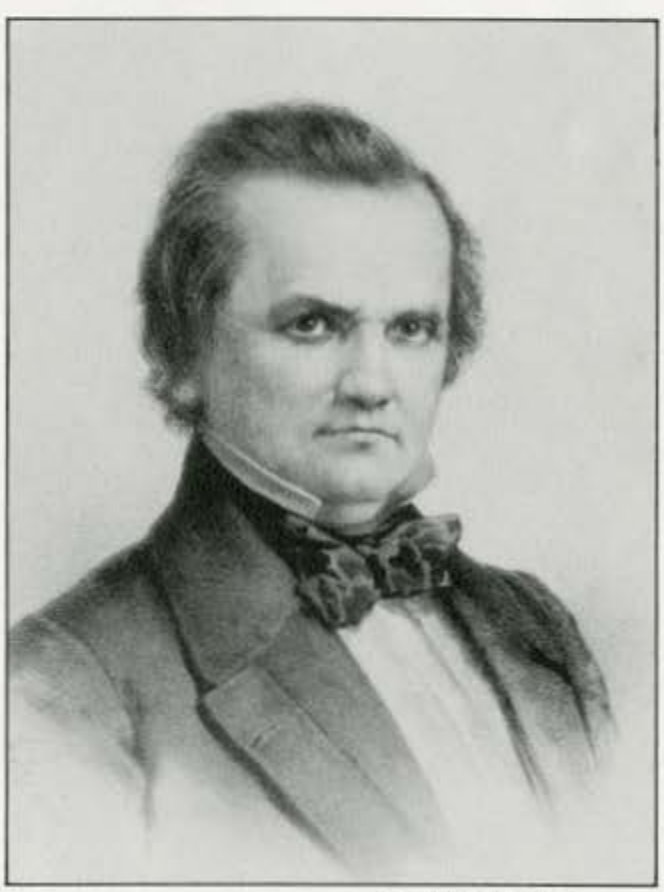

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FIGURE 1. A lithograph issued at Douglas' death.

his old rival at the White House, and he may have been the first to warn President Lincoln of the importance of holding shaky Maryland in the Union and of the necessity of retaining strategic points in Virginia like Fortress Monroe and Harper's Ferry. Then Douglas left the nation's capital on a trip to the West, giving rousing patriotic orations along the way and ending with a stirring address before the Illinois state legislature. Republicans controlled both houses of the legislature, and Douglas' invitation to address them was symbolic of his transcendence of narrow partisanship. Finally, on his very deathbed, Douglas, when asked by his wife Adele for any last message to his children, said, "Tell them to obey the laws and support the Constitution of the United States."

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To clarify Douglas' position in the secession crisis, I should like to ask here a hypothetical

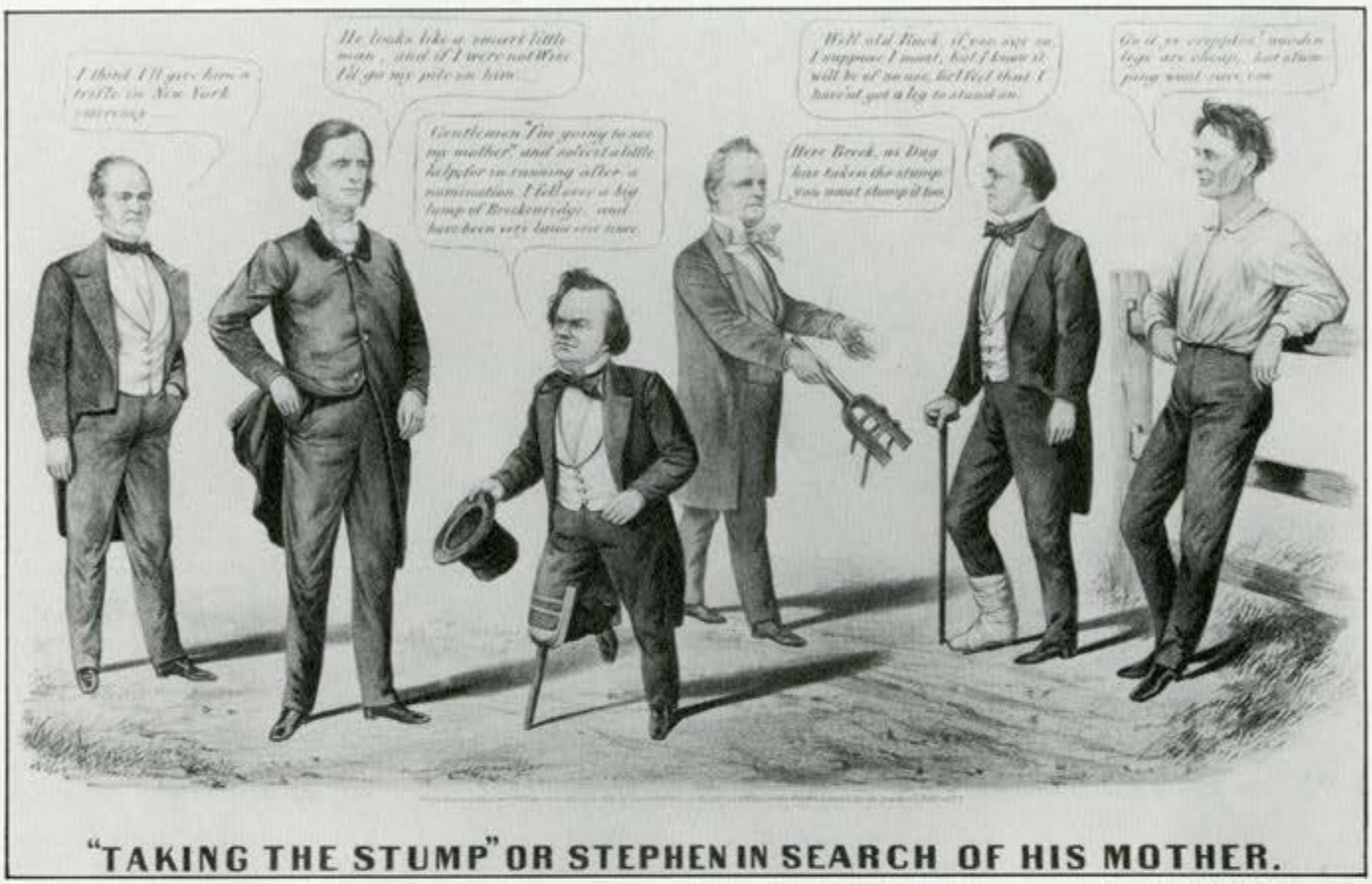

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FIGURE 2. When Douglas campaigned actively for the presidency in 1860, he broke a long-standing American tradition. At first, he tried to excuse his behavior by saying he was *en route* to visit his aged mother.

question. What would a patriot like Douglas think of a man who, in the midst of the secession crisis, would come up with such a plan as I am going to describe below?

This plan was devised against a dramatic backdrop of events. Abraham Lincoln had given his inaugural address with army snipers watching on rooftops to avert assassination or a *coup d'etat*. The president had learned the shocking and depressing news that provisions at Fort Sumter could run out by mid-April. Military experts had advised him that Sumter would be effectively relieved only with a full naval expedition and an army of 10,000 men. Seven states had already departed from the Union and were trying to lure the other eight slaveholding states into their new confederation. Stephen Douglas and John J. Crittenden and others were toiling for some compromise which might hold the eight remaining slaveholding states in the Union, bring the wayward seven back, and avoid war or dissolution of the Union.

In the midst of this deep crisis, a man devised (and got it all written down on forty sheets of paper) the "terms of political separation and commercial union" to be agreed on in advance if political separation of the two sections of the old Union became unavoidable. As bad as peaceful separation was, war would be worse, he thought. But certain things must be agreed upon in advance.

The plan stressed that "there can never be peace between the people of the upper and lower Mississippi so long as the one attempts to exercise jurisdiction to the exclusion of the other over any portion of the river; or obstructs, impairs or interferes with the rights of free navigation on terms of entire equality with its own citizens. There can never be peace so long as goods and merchandise, imported at the ports of the one confederacy, for sale and consumption in the other, or subjected to the payment of duties and taxes, under the operation of laws in whose enactment they have no voice, and in the proceeds of which they have not an equal participation. There can be no peace so long as there be any restriction, hindrance or encumbrance upon commerce, trade, transit, and intercourse which is not common to the citizens of both." The legalistic language gives the document the sound almost of draft legislation, but the point was clear enough: without free navigation of the Mississippi, there would be war.

With it, however, there need be neither war nor Union. The author of this scheme had visited Europe in 1853 and had ever since been interested in adapting the model of the *Zollverein*, or North German Customs Union, to North America. He had drafted an article on a proposed Continental Customs Alliance which would bring Canada, Mexico, and the Central American republics into a customs union with the United States. (In the heyday of imperialism after the Civil War, the plan would seem especially appealing and would be printed as a government document.) During the secession crisis of 1861, the author could use the same idea for a customs union based on the "recognition of the independence of the Confederate States on the fundamental condition of a Union for commercial purposes between them and the United States, indissoluble except on common consent."

Between the two and all their states and territories there would be freedom of trade. Laws for the commercial union of the two countries would be made by "a Council. . . composed of one member from each State of the two Republics." Each state legislature would choose a councilman for a seven-year term. The council could pass laws only with "the concurrence of a majority of the councillors present from each Republic." The commercial union would collect tariff duties for both republics. The "Allied Republics [were to] guarantee the integrity of the territorial limits of each other against invasion and external violence." Neither could add to its territory without the other's consent.

With such a union as this, the author guessed, Americans could be prosperous and happy "even if their members of Congress should assemble at two places instead of one."

What would Stephen Douglas think of such a plan for a half-hearted commercial union to replace the old Union of Jackson and Jefferson and Washington? Would he see it as

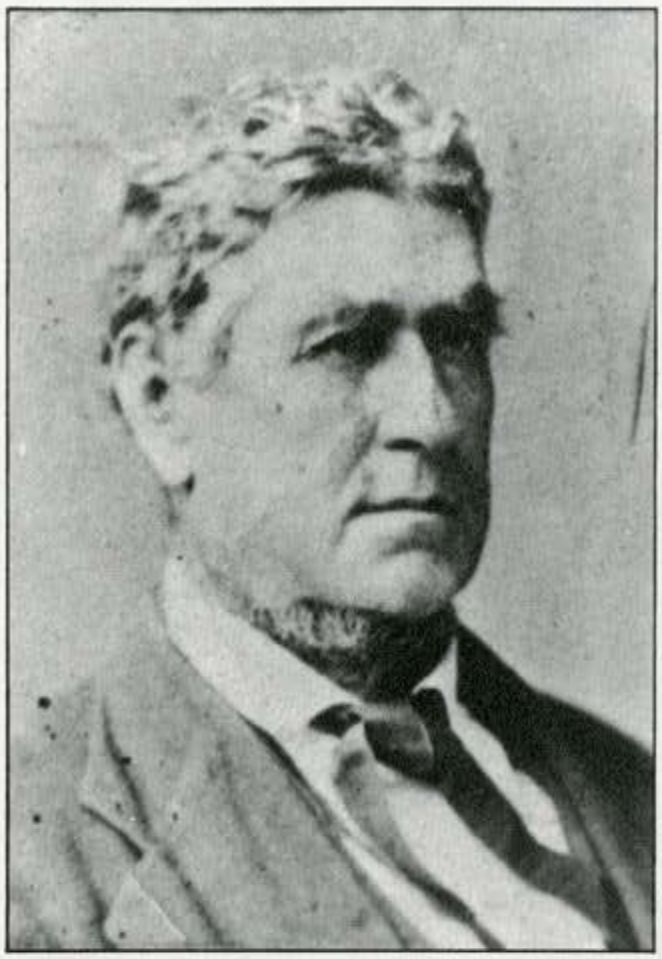

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FIGURE 3. R. M. T. Hunter.

giving up the Union for a mess of pottage, or, more properly, of tonnage duties? Would he convert or hang the man in forty-eight hours?

In truth, Douglas would not have complained about the plan, *for it was his own plan*, found, written half in his hand and half in Adele's, in his papers at his death. Further corroboration for its being much on Douglas' mind during the secession crisis, comes from the diary of William Howard Russell, a London *Times* correspondent in Washington at the time. On April 4, 1861, Russell dined at the Douglas home, along with Salmon P. Chase, Caleb Blood Smith, and other prominent politicians. "I observe a great tendency to abstract speculation and theorising among Americans," Russell wrote, "and their after-dinner conversation is apt to become didactic and sententious. Few men speak better than Senator Douglas: his words are well chosen, the flow of his ideas even and constant, his intellect vigorous, and thoughts well cut, precise, and vigorous — he seems a man of great ambition, and he told me he is engaged in preparing a sort of Zollverein scheme for the North American continent, including Canada, which will fix public attention everywhere, and may lead to a settlement of the Northern and Southern controversies." Historian George Fort Milton, who apparently discovered the "extraordinary manuscript" in Douglas' papers in the 1930s and who wrote about it at some length in *The Eve of Conflict: Stephen A. Douglas and the Needless War* (Boston: Houghton, Mifflin, 1934), concluded that "This ingenious plan called for such intelligence and social judgement that Douglas never projected it beyond his own private circle. To the historian, the document's chief value is that it affords further example of Douglas' economic realism and of the lengths to which he would go to maintain peace."

There exists no better illustration of the grip of Stephen Douglas on the historical imagination of the post-World War I era than the contract between Milton's characterization of this plan and William Howard Russell's. To the English journalist of the 1860s it was a species of "abstract speculation and theorising"; to the twentieth-century historian it was a monument of "economic realism."

Whether Douglas' plan represented economic realism or abstract political speculation, it was of a piece with much other theorizing that was done in the depths of the secession crisis. That crisis called forth many short-lived, desperate, and ill-considered schemes for reconstructing the Union. One, for example, was the brainchild of Robert M. T. Hunter of Virginia, a disciple of John C. Calhoun and a Breckinridge Democrat in the election of 1860 but a moderate member of the Senate Committee of Thirteen, which sought a compromise solution to the secession crisis. He too devised a plan for a union of the two confederacies after secession. Congress would be denied any power over slavery in the states, the District of Columbia, federal property, or the interstate slave trade. Conversely, it must recognize in any territory what any state might itself define as "property." A territory might decide for or against slavery as long as the majority of senators from both slave and non-slave states agreed. Slavery might even be allowed in part of a territory with the same approval. In a provision no doubt suggested by memories of John Brown, Hunter said that states must suppress combinations of individuals intent on invading other states.

John C. Calhoun's influence was apparent in the plan's dual executive, one each from North and South and the one serving as vice-president to succeed the other as president automatically. The Supreme Court was to become a body of ten members, five chosen from each section by that section's executive.

Still another of these startling plans was sent to Lincoln

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FIGURE 4. Winfield Scott.

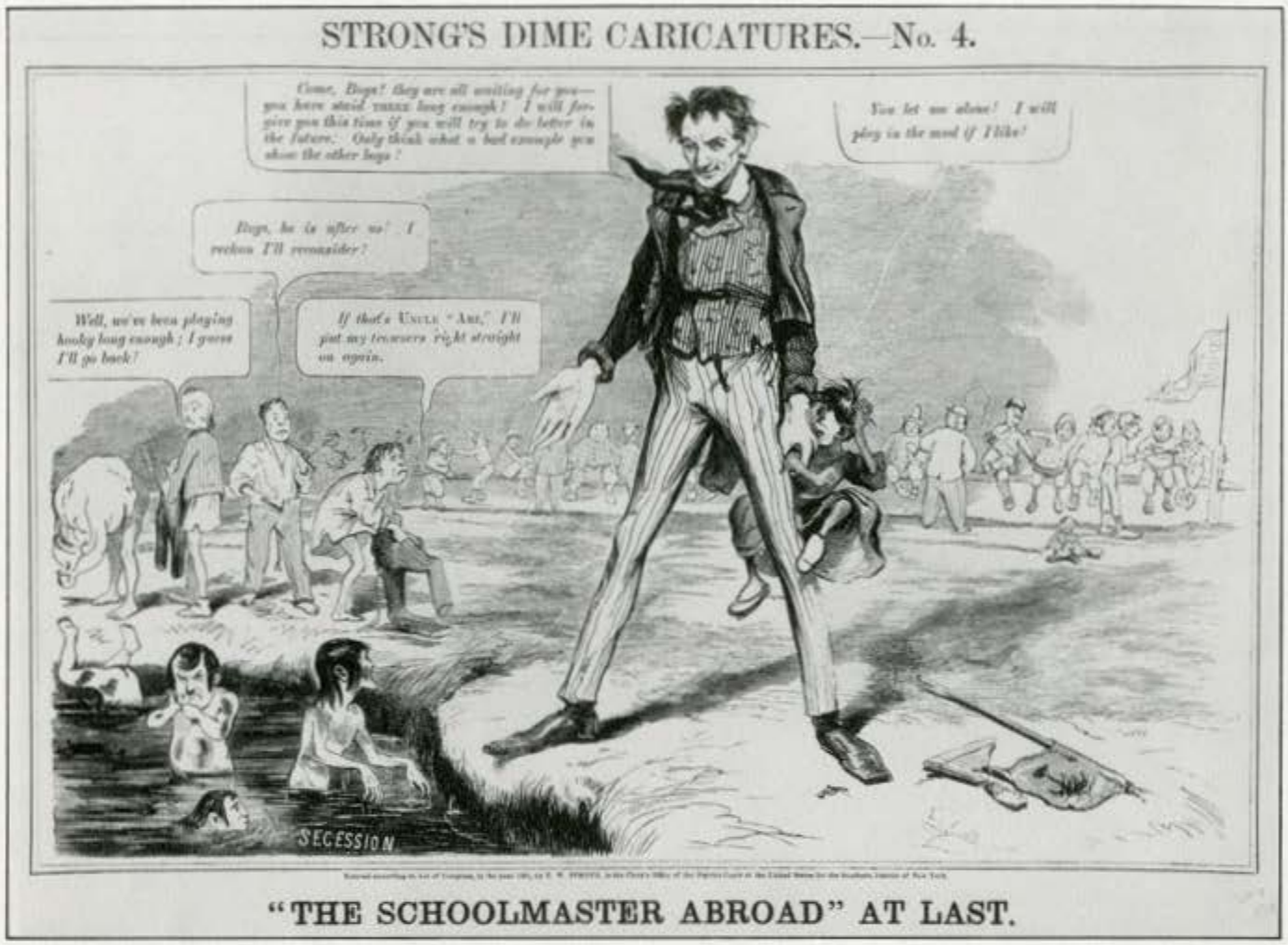

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FIGURE 5. The brief period in which plans were hatched to lure the seceding states back into the Union was the setting of this cartoon, published early in 1861.

in a long memorandum after his election to the presidency. This alarming plan suggested that the right of secession "be conceded" but "instantly balanced" by the government's right to use force to maintain its territory in some instances. For example, when the secession of an interior state cut a loyal coastal state off from the rest of the country, coercion would become necessary. On the whole, this theorist suggested to Lincoln, a war which reunited the country would be so terrible that a dissolution into four sectional confederacies would be the "smaller evil."

Stressing "natural boundaries" and "commercial affinities," this plan foresaw a Southeast Confederacy with its capital at Columbia, South Carolina, stretching east of the Allegheny Mountains from Maryland to northern Florida. Another curious confederation would contain both slave and free states. With its capital at Alton or Quincy, Illinois, it would include the states of the Old Northwest as well as seven slaveholding states and parts of Virginia (the part that later became West Virginia) and Florida. The author talked longest about the workability of this improbable middle-American confederation, arguing that western Virginia, Kentucky, Tennessee, and Missouri were "comparatively indifferent to slavery" and could be got into the unit with "little coercion beyond moral force." Missouri, Arkansas, and Mississippi would have to join because of the need for access to the Mississippi River. This plan also assumed a northeastern confederation and a far western one, stretching from the crest of the Rocky Mountains to the Pacific.

This four-confederation scheme would be too chimerical to deserve even as much space as it has been given here, were its author none other than Winfield Scott, the general-in-chief of the United States Army during the secession crisis! Scott's plan is an important example of this secession-crisis theorizing, for it warns us that the existence of such schemes by no means impugns the loyalty of the schemers. Surely, no one could impugn Scott's loyalty in the end. He is, after all, the man who said that anyone who attempted to interfere with the official count of Lincoln's electoral vote "should be lashed to the muzzle of a twelve-pounder gun and fired out a window of the Capitol" to "manure the hills of Arlington with fragments of his body."

Likewise, the existence of Douglas' plan by no means impugns his loyalty or threatens his reputation for patriotism. No one has been hiding the scheme from history students. It has been described in the major Douglas biographies from Milton on, but one somehow forgets that Douglas ever drafted such a manuscript. And one forgets as well that in March of 1861 Douglas thought the administration should abandon Forts Sumter and Pickens. One forgets that Douglas thought war would lead inevitably to permanent dissolution of the Union, that it could cost $316 million annually, and that the government could not come close to raising such sums. One forgets that he said openly that South Carolina after secession had created a *de facto* government of the sort traditionally negotiated with in diplomacy.

One forgets such things because of Douglas' reputation for nationalism *and because nationalism is such a slippery term.* That Douglas and Winfield Scott were *bona fide* nationalists by no means makes the student of history able to say precisely what policies they recommended in the secession crisis. It does not explain in any precise or clear way what these men stood for. As political scientist Morton Grodzins has put it, "One fights for the joys of his pinochle club when he is said to fight for his country." To say that Douglas was a nationalist tells the student a little but not enough. It does not say what Douglas' pinochle club was.

(To be continued)