

major intent was to prohibit the further entry of a people whom most white Virginians hoped would be taken or sold into the vast Southwest, including Missouri.<sup>17</sup> And to a limited degree, diffusion worked. Despite the rapid natural increase of Virginia's black population, the ratio dropped from 7.65 per 10 whites in 1820 to 5.24 in 1860.<sup>18</sup>

The Missouri Crisis erupted unexpectedly in February 1819, when the House of Representatives was considering a bill that would enable the people of Missouri, which had been part of the Louisiana Purchase and lay west of the Mississippi, to draft a constitution and be admitted as a slave state. Slaves already constituted nearly one-sixth of the territory's population. James Tallmadge Jr., a New York Jeffersonian Republican who was deeply religious, offered an amendment that prohibited the *further* introduction of slaves into Missouri and provided for the emancipation, at age twenty-five, of all children of slaves born after Missouri's admission as a state. This moderate proposal was similar to the gradual emancipation measures that had been adopted earlier by states like New York and Connecticut;<sup>19</sup> in 1820 New York had about the same number of slaves as Missouri, but in 1817 Tallmadge had helped to secure a law that would terminate all New York slavery in ten years.

After a prolonged and often ferocious debate, the House approved Tallmadge's amendment by an ominously sectional vote. The Senate, after equally violent debates, passed a Missouri statehood bill without any restrictions on slavery.<sup>20</sup> The issue seemed hopelessly deadlocked. And while it took the press and Northern public many months to realize that the decision on Missouri really meant a referendum on the meaning of America, the congressional debates eventually sparked mass meetings and public demonstrations.<sup>21</sup>

Although Northern Republicans initiated and repeated the demand for restricting the spread of slavery, Virginia, the heart of Jeffersonian Republicanism, took the lead in militancy, trying to arouse a generally apathetic South to a common peril. Sanctified figures like Jefferson and Madison conveyed the alarm that any attempt to exclude slavery from Missouri was part of a Federalist conspiracy to create a sectional party and destroy the Union. The Missouri Crisis was aggravated by a sense that understandings had been broken, veils torn off, and true and threatening motives exposed. The congressional debates rekindled the most divisive issues that had supposedly been settled in the Constitutional Convention, and thus raised the hypothetical question of disunion.

In a sense, then, the House and Senate faced a reenactment of 1787, a ritual underscored by the prominence in the congressional debates of two of the Constitutional Convention's surviving antagonists: Representative Charles Pinckney of South Carolina, who openly defended slavery and now insisted that Congress had *no* power to exclude slaves, a form of legitimate property, from even the unsettled territories; and Senator Rufus King of New York,



the alleged leader of the Federalist conspiracy, who "astonished" James Madison and many other Southern leaders when he announced in 1820 that any laws or compacts upholding slavery were "absolutely void, because [they are] contrary to the law of nature, which is the law of God, by which he makes his way known to man and is paramount to all human control."<sup>22</sup>

King, a foe of slavery even when he participated as an eloquent speaker at age twenty-two in the Constitutional Convention, had long denounced the three-fifths compromise (which had given the South the additional votes needed to elect Jefferson and defeat numbers of Federalists). King voted to exclude slaves from Arkansas and strongly opposed any discrimination against black voters in New York's 1821 constitutional convention, but as a conservative he inconsistently respected the rights of slaveholders in the existing states and would never have thought of proposing immediate slave emancipation. Nevertheless, no British abolitionist leader had at that time impeached the legality of all slaveholding in the light of a "higher law."<sup>23</sup> King's words, while anticipated by a few works like "Philmore's" *Two Dialogues on the Man-Trade* (London, 1760), pointed the way toward Garrison and the radical anti-slavery movements of the future.<sup>24</sup>

Apart from these polarized voices from surviving Founding Fathers, it was a new generation of Northerners who had to reaffirm or reject the kind of compromises over slavery that had created the original Union. Like the Founders, the Northern majority in Congress could do nothing about slavery in the existing states, but there had been an understood national policy, many Northerners believed, enshrined in the Northwest Ordinance and constitutional provision for ending slave imports, committing the government to restrict slavery in every feasible way. This understanding had seemingly been confirmed by repeated Southern statements that slavery was an evil imposed by Britain and inherited from the past. The North had accepted the original slave states' expectations that migrating slaveholders would not be barred from bringing their most valuable property—their slaves—into the territories south of the Ohio River and east of the Mississippi. But Missouri, part of the Louisiana Purchase and a gateway to the West, occupied the same latitudes as Illinois, Indiana, and Ohio (as well as Kentucky and Virginia). To allow slavery to become legally entrenched in Missouri might thus encourage its spread throughout the entire West, greatly harming both free labor and industry.

Despite many divisions in the North, the Pennsylvania legislature unanimously adopted a resolution instructing its senators and congressmen to vote against the admission of any territory as a state unless the region adopted the Tallmadge Amendment. The legislatures of New York, New Jersey, and even Delaware took similar action. Many Northern leaders warned that the South

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was intent on spreading the "evil" or "crime" of slavery from the banks of the Mississippi to the shores of the Pacific.<sup>25</sup> The sudden emergence of such unified demands for "free soil" anticipated the theme that finally mobilized the North in the 1850s and brought a new Republican Party to power. This gap in time of well over thirty years indicates the disastrous setback that resulted from the compromises reached in 1820 and 1821, and from the later rise of a two-party system based on North-South alliances. The strength of Northern opposition to admitting Missouri as a slave state might also raise questions about the off-putting rhetoric and ideological extremism of later Garrisonian abolitionism, which surely alienated many potential opponents of slavery.

Virginians and some other Southerners had increasingly argued, as we have seen, that if slavery were "diffused" over a large geographical area, it would weaken as an institution and the likelihood of slave uprisings would diminish (and, of course, the political power of slaveholding states would greatly increase). In 1820 Daniel Raymond, a prominent Northern political economist, gave the obvious reply: "Diffusion is about as effectual a remedy for slavery as it would be for the smallpox, or the plague."<sup>26</sup> We have already summarized a narrative that dramatically confirms this point with a vivid and appalling account of slavery in Missouri in the 1850s, as set forth in Melton A. McLaurin's *Celia, a Slave: A True Story*.<sup>27</sup>

Southerners were particularly outraged by the argument of Tallmadge and other Northern congressmen that the constitutional guarantee to every state of "a Republican Form of Government" meant that Missouri could not be admitted as a slave state. This argument not only ignored the fact that slavery had flourished in the Roman and other republics but implied that Virginia and the rest of the Southern states fell short of having "a Republican Form of Government" and therefore would not be admissible to a new Union. If this line of thinking prevailed, the Southern states would be reduced to a second-class status. If they accepted the Northern definition of a republican form of government, they had no choice but to take steps toward abolishing slavery, like the Northern states, or to face the punitive measures of an imperial authority.

Meanwhile, as tempers and threats rose in the halls of government, Tallmadge proclaimed:

Sir, if a dissolution of the Union must take place, let it be so! If civil war, which [Southern] gentlemen so much threaten, must come, I can only say, let it come! . . . If blood is necessary to extinguish any fire which I have assisted to kindle, I can assure gentlemen, while I regret the necessity, I shall not forebear to contribute my mite. . . . If I am doomed to fall, I shall at least have the painful consolation to believe that I fall, as a fragment, in the ruins of my country.<sup>28</sup>



Henry Clay, the Speaker of the House of Representatives, spoke at one point of returning to Kentucky and enlisting troops. He also told John Quincy Adams that he was certain that within five years the Union would divide into three distinct confederacies.<sup>29</sup> But by finally exerting all the powers of his office and of his magnetic personality, Clay finally achieved a compromise.

After much political maneuvering, a small minority of Northern congressmen agreed to drop the antislavery provision as a prerequisite for Missouri's statehood. (Such "Northerners with Southern principles" would soon be known as "doughfaces" and would be indispensable in strengthening the unity of what Don Fehrenbacher aptly terms "the Slaveholding Republic.") For their part, a small minority of Southerners agreed that slavery should be excluded from the remaining and unsettled portions of the Louisiana Purchase north of latitude 36°30', the latitude of Missouri's southern border. In effect, this measure limited any further expansion of slavery within the Louisiana Purchase to Arkansas, directly south of Missouri, and what would later become Oklahoma (though one must remember Jefferson's musings about Texas becoming the richest state in the Union). Given the sectional balance of opposing majorities, the swing votes favoring these concessions were barely sufficient to carry the compromise. The way was now opened for admitting Maine as a free state, since Clay and the Senate had refused to accept Maine's statehood until the House had abandoned efforts to restrict slavery in Missouri.<sup>30</sup>

The press and legislatures of the North generally interpreted the Missouri Compromise as a crushing defeat for the North, a defeat made possible by the original three-fifths compromise. Much later, however, Northern antislavery forces would stalwartly defend the 36°30' line of division, and proslavery forces would fight to repeal this crucial part of the Missouri compromise, which was accomplished by the Kansas-Nebraska Act of 1854 and the *Dred Scott* decision of 1857, which denied Congress any power to restrict slavery in any of the national territories.

In 1820 a new and clearly misinformed hope arose in the North that public pressure could force Missouri to adopt a constitution providing for gradual emancipation. But the defiant Missourians drafted a constitution that prohibited the state legislature from emancipating slaves without the consent of their owners and that also barred free blacks and mulattoes from even entering the state. This measure seemed to undermine the ideology of diffusion, and since free blacks had been recognized as citizens by some of the Eastern states, this second provision, later adopted by such states as Iowa and Oregon, violated the constitutional guarantee that "the Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States."

Northern congressmen no tuition and in effect the entire New England eloquently defended and mulattoes, but Charles Pickens' relevant second section of the constitution that it was impossible even to citizen."<sup>31</sup> Eventually, in 1821, the press produced a vaguely worded constitution against the citizens of the Union that still left citizenship to the promise "in such sarcastic and very press was again aroused." Clay for saving the Union.

But the Union would nevertheless have heated debates on slavery had opened. The Federalist Party had mostly collapsed and was perceived as the major political force. It packed the galleries of the House for speeches. If Rufus King could not win, his very name, King, carried great power. In 1822, as we have seen, the alleged conspirators associated with the Vesey affair testified that Vesey had shown King, "the black man's friend," that he had a sizable slave conspiracy and worst fears.<sup>33</sup>

The cumulative effect was to drive the South in the suppression of any opposition from their other political difficulties. The states' rights extremists and the

Even more important, the struggle contributed to the crisis to contain and neutralize the South. From its very start, the Democratic Party sought to suppress the abolitionist mail in the South, to suppress petitions in Congress, by challenging everything he could to prevent and by favoring the annexation of states.<sup>34</sup> The Whig Party was the westward or southward ability of the Whig Party dep



Representatives, spoke at one o'clock. He also told John Quincy Adams that the Union would divide into two camps, each exerting all the powers of his office. Adams had already achieved a compromise. The small minority of Northern Congressmen's provision as a prerequisite for the Missouri principles would be indispensable in strengthening the Union. The "Slaveholding Republicans" agreed that slavery should be maintained in portions of the Louisiana Purchase south of Missouri's southern border. In the event of slavery within the Louisiana Purchase, Missouri, and what would later be called Jefferson's musings about the matter. Given the sectional balancing these concessions were the way was now opened for the Senate had refused to abandon efforts to restrict

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Northern congressmen now stood firm in rejecting the Missouri constitution and in effect the entire compromise. Representatives from northern New England eloquently defended the rights and citizenship of free blacks and mulattoes, but Charles Pinckney, who claimed that he had drafted the relevant second section of the fourth article of the Constitution, asserted that it was impossible even to think of such a thing "as a black or colored citizen."<sup>31</sup> Eventually, in 1821, Clay's skillful manipulation of committees produced a vaguely worded compromise prohibiting Missouri from discriminating against the citizens of other states—an abstract and obscure resolution that still left citizenship undefined. The Missouri legislature accepted the promise "in such sarcastic and defiant language that the ire of the antislavery press was again aroused."<sup>32</sup> In general, however, the country applauded Clay for saving the Union.

But the Union would never be the same. In Southern eyes the uninhibited debates on slavery had opened a Pandora's box of dangers. Though the Federalist Party had mostly collapsed, thus removing what many Jeffersonians perceived as the major political threat, the free blacks of Washington had packed the galleries of the House and had listened intently to antislavery speeches. If Rufus King could be linked by his enemies to Anglophilic treason, his very name, King, combined with his seasoned eloquence, radiated power. In 1822, as we have seen in Chapter Eleven, during the trial of the alleged conspirators associated with Denmark Vesey, a Charleston slave testified that Vesey had shown him an antislavery speech delivered by Rufus King, "the black man's friend." The connection between the Missouri debates and a sizable slave conspiracy stunned South Carolina, confirming its worst fears.<sup>33</sup>

The cumulative effect was twofold: to unite most whites in the Deep South in the suppression of any dangerous discussion of slavery, wholly apart from their other political differences; and to strengthen the hand of both states' rights extremists and the defenders of slavery as a positive good.

Even more important, the entirely fortuitous outcome of the Missouri struggle contributed to the creation of a national two-party system intended to contain and neutralize the kind of sectional discord that erupted in 1819. From its very start, the Democratic Party of Martin Van Buren and Andrew Jackson sought to suppress criticism of slavery by blocking the delivery of abolitionist mail in the South, by enforcing the gag rule that tabled antislavery petitions in Congress, by challenging the judiciary when President Van Buren did everything he could to prevent a publicized trial of the *Amistad* captives, and by favoring the annexation of Texas as a slave state or cluster of slave states.<sup>34</sup> The Whig Party was no doubt less racist and far less committed to the westward or southward expansion of slavery, but since the political viability of the Whig Party depended on much support from wealthy Southern



