

Politics and Sectionalism in the 1850s

Word count: 1111

The early years of the nineteenth century saw a rise in sectional crises as northern and southern citizens first recognised their differences and then used the grey areas of federalism to pursue their own interests; the Civil War began in 1861, but the political crisis that set the stage for the conflict unfolded in 1850. National expansion and the rise of militant abolitionism made it increasingly difficult to exclude slavery from national attention. The dispute that led to the Compromise of 1850 was at its root a crisis of republicanism, the ideological tradition that grew out of the movement for American independence. Both sections used their own version of republicanism to make sense of the crises of the late 1840s; despite masterful diplomacy, the agreement of 1850 failed to resolve the conflict between them.

The compromise of 1850, a series of legislative bargains over the western territories and slavery, was a sheer demonstration that American political leaders could still defuse sectional tensions. What they could not do was resolve deeper social and political problems that simmered under the surface of the legislative bargains, congressional balancing, and soaring oratory. An increasingly popular “quick-fix remedy to solving the fragile issue of slavery was being discussed as 1850 began. The general idea was to create new states from territories acquired in 1846 & 1848, relying upon the U.S.

Constitution Amendment X (see Appendix 1), which allowed states the right to decide for themselves on any issue not expressly prohibited by the federal government. In addition to this, pro-slavery advocates saw a loophole in the proviso of the 1820 Missouri Compromise, which stated that all land above the 36°30'N latitude was to be forever free territory. After careful evaluation from the federal courts, they eventually decided that the proviso would only apply to the territory acquired in the Louisiana Purchase. This meant that slavery could legally exist north of the 36°30'N line, the Oregon and Mexican Cession Territories. The debate over this new admission drove tensions between the slaveholding South and the free soil North to a fever pitch, & most political leaders wanted to avoid another dangerous showdown over slavery. Abolitionist agitation had threatened the status quo in the 1830s, but Congress maintained the silence on slavery with the Gag Rule of 1836, which prohibited antislavery petitions in Congress.

Although the party system still functioned in 1849, the sectionalisation of federal politics was painfully evident in the sense that it took a month and sixty-three ballots to elect a Speaker of the House, and then only by a plurality. On January 29, 1850 an ageing seventy-three year old Henry Clay put forth to the U.S. Senate a compromise.

Congressional moderates hoped Henry Clay's Compromise Initiative would settle the slavery debacle once and for all and restore sectional harmony. Clay's compromise plan met with the approval of most moderates and unionists and the condemnation of ultras from both sections. Clay's Compromise proposed:

1. Admitting California as a free state.

2. Organising the Mexican Cession Territory without any restriction as to slavery (the Utah and New Mexico territories).
3. Denying the Texas claim to extend its boundary to where the Rio Grande River begins.
4. Compensating Texas for #3 (above) by having the federal government assume the \$10,000,000 Texas state debt.
5. Ending the practice of requiring all traded/sold slaves to pass through the District of Columbia but,
6. Keeping slavery legal in D.C even though it is not a state.
7. Rewriting the Fugitive Slave Act, placing it under the jurisdiction of Federal U.S. Marshals.
8. Denying Congress any future authority to regulate slavery (no more Missouri Compromise-type 36°30' provisions).

By implicitly endorsing the Wilmot Proviso of 1846 (See Appendix 2) & arguing that since slavery would “not likely be introduced” in the Mexican Cession, that territorial governments could be established without mention of slavery, Clay angered southern slaveholders, in particular the Democrats. Restriction and ‘encirclement’ was easily interpreted as subordination, as enslavement. The mere suggestion that Mexican law forbidding slavery in the region should prevail under the new territorial administration further offended southern sensibilities. Invoking a ‘divine law’ prohibiting slavery in the region seemed an offense against constitutional principle and against Southern honour. To Southerners, handing over the Mexican cession to Northern interests would deny

southern equality. In contrast, northern antislavery opponents condemned Clay's popular sovereignty and denounced the Fugitive Slave Act. They strongly felt that Clay's proposal for California's admission without the Wilmot Proviso was contemptible; for a territory they thought & believed predestined to be free, the Compromise would only open the door to the Slave Power.

More objectionable was Clay's proposal to strengthen the Fugitive Slave Act by compelling northerners to assist in the extradition and capture of runaway slaves. It was the coercive aspects of the Act that the northerners found most offensive. Citizens and local marshals faced fines of \$1000 and the possibility of a civil if they harbored suspected runaways or refused to cooperate with a posse in apprehending a fugitive slave. To Abolitionists, Free Soilers, and Anti-Slavery Activists, the Fugitive Slave Act compelled northerners to ignore their moral convictions and democratic convictions. A gentleman from Massachusetts wrote incredulously, "Does not the Fugitive Bill step in and tell me I must not obey God, must not act according to the dictates of my conscience, must not entertain the stranger, feed the hungry, clothe the naked or help the distressed; but aid them in sending them back to slavery?"

To abolitionists, the Fugitive Act reeked of subservience to the Slave Power. Northerners found this feature of the Compromise particularly reprehensible, since it directly challenged their republican notions of free labour and personal independence. Although popular sovereignty proved volatile in the coming years, The Fugitive Slave Act embodied the conflict of republicanism at the epicenter of the territorial dispute. It was also symbolic of what Clay's Compromise had become: a set of mutual assurances that

could never be fulfilled. Northerners of an abolitionist or anti-southern persuasion found the Act repugnant. Slavery, it would seem, would reach into the social and political life of the North, a region that had grown used to its self-image of Puritan righteousness. Scheming Southern Politicians had insinuated slavery just above the Mason-Dixon line.

Theoretically, a compromise presupposes an agreement by two parties upon mutual concessions involving a sacrifice of vital interests by both sides. Is Compromise an accurate description of the legislative accomplishments of 1850? Political elites formed broad coalitions that suppressed ideological inflexibility and delayed sectional conflict. The territorial debacles represented the final, desperate attempt by Unionists from both sections to suppress the issue of slavery.