

### The Failure of Popular Sovereignty: Slavery, Manifest Destiny, and the Radicalization of Southern Politics

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## Review

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**Childers, Christopher** *The Failure of Popular Sovereignty: Slavery, Manifest Destiny, and the Radicalization of Southern Politics*. University Press of Kansas, \$39.95 ISBN 978-0-7006-1868-2

### Fresh Perspective on Popular Sovereignty

Most historians know “popular sovereignty” as a political formula devised by Democrats of the 1850s to straddle the territorial dispute that threatened to split their party and the Union. Instead of barring slavery in the West as demanded by supporters of the Wilmot Proviso, or echoing the Calhounite doctrine that “slavery followed the flag,” and must be legal throughout the national domain, popular sovereignty passed the choice between slavery and freedom from Congress to the territorial settlers themselves. It obviously appealed to American traditions of local self-government, but it also relieved congressmen of the need to cast a pro- or anti-slavery vote that would inevitably alienate one section or the other, and hurt their party’s chances at the next presidential election. Long associated with “doughfaces” or “northern men with southern principles” like Michigan’s Lewis Cass or Illinois’s Stephen A. Douglas, popular sovereignty allowed Democrats to hang together as a bisectonal coalition while the Whigs disintegrated and the nascent Republicans spoke only to a single section.

In this thoughtful and well-researched monograph, Christopher Childers shows that the concept of popular sovereignty as a solution to the slavery dilemma had a far older history than the 1850s. While early lawmakers forthrightly banned slavery from the Northwest Territory, they allowed it in the territory south of the Ohio River by permitting its settlers to decide the matter themselves. Later, the territory of Missouri successfully claimed the right of retaining slavery as it became a state. In the famous Missouri Compromise, Congress effectively granted popular sovereignty over slavery in the southern portion of the Louisiana Purchase, including Missouri, while banning it to the

north. In other words, Congress settled the question by dividing the disputed territories between North and South, and used the substance, if not the label, of popular sovereignty as a mechanism for allowing the southern territories to choose slavery.

For all the furor over Missouri, dividing the nation's territory between slavery and freedom mostly kept the peace in the early republic and allowed Americans to preserve their fledgling Union while sidestepping its most divisive issue. At the same time, popular sovereignty became an easy means for Congress to sanction the spread of slavery without saying so, banning bondage in northern territories and allowing a free choice in southern ones. That began to change in the 1830s, when South Carolina's John C. Calhoun proclaimed the "positive good" of slavery and tried to persuade fellow southerners that barring it from any federal territory was both unconstitutional and demeaning. At the same time, anti-slavery northerners began to resist the acquisition of Texas, reviving an argument from the Missouri Crisis that the end of slavery's expansion would eventually destroy it. In other words, advocates for both sections began denouncing a division of the territories, each side becoming more interested in winning the slavery dispute than defusing it.

Following the Mexican War, these tendencies became ever stronger. As Childers shows, popular sovereignty most appealed to two groups: Democrats who wanted to silence a controversy and activists who thought the policy would favor their own side. The result was disastrous for sectional stability. No matter how offensive to purists, splitting the territories had the advantage of clarity and finality. Once a decision was made for both the trans-Appalachian West and the Louisiana Purchase, each section and each territory had known where it stood and where it would likely remain, discouraging further agitation. By contrast, popular sovereignty created numerous points where sufficient pressure could force a slavery decision to be made, unmade, and remade. Would the voters make their choice when Congress created a territory or when it became a state? Who were the legitimate voters? Who would prevent fraud and violence and count the votes? Would the courts overturn a "final" decision? The same questions would recur every time a new territory emerged, moreover, for a decision by one government would not bind the next one. These questions became especially acute after the so-called Compromise of 1850, when for the first time, popular sovereignty in California brought anti-slavery results.

The inherent ambiguities of popular sovereignty made continual controversy inevitable, for much more was at stake than the labor system of an isolated locality. Why should a random handful of territorial voters decide the balance between free and slave states, with all its momentous consequences? No matter the result, the losing side was certain to challenge it. Along the way, the doctrine only encouraged hypocrisy and double standards, as when southern extremists denied the right of Congress to pass any legislation at all about slavery in the territories, but demanded a federal slave code when they realized that free soil legislators could win their goal by simply refusing to adopt one themselves.

Perhaps anticipating this confusion, President Polk and a few others had hoped to deal with the Mexican Cession by extending the Missouri Compromise line to the Pacific, but more committed sectionalists overruled them. The result was an escalating political battle that moved inexorably from the so-called Compromise of 1850, to Bleeding Kansas, to the fraudulent Lecompton constitution, to demands for a federal slave code, to the rupture of the Democrats in 1860. Each incident gave southern radicals a new opportunity to embarrass their moderate rivals with the politics of slavery, steadily raising the bar for what constituted pro-slavery orthodoxy. In this atmosphere, those like Douglas who endorsed popular sovereignty to bring peace and please all sides ended up with just the opposite.

Christopher Childers traces this progression with clarity and insight. He is particularly astute in describing how Cass and Douglas struggled to preserve Democratic unity while their southern rights opponents fought just as hard to split and destroy both Jacksonian-era parties to create a solid southern bloc. In the end, Childers makes clear that territorial elections could not defuse the national crisis because the nature of the slavery dispute made the adversary's victory unendurable for either side. Necessarily, perhaps, his account focusses exclusively on the white politicians who conceived the doctrine of popular sovereignty and fought its battles in Congress and party conventions. This makes the narrative somewhat bloodless at times, as alert readers remember that none the arguments over "territorial self-government" would allow African Americans to govern themselves, or that real enslavement lurked behind the grandest phrases. If it is not clear how Childers might have remedied this condition in a monograph devoted to white southern leaders and their friends, he has plainly unpacked their history of popular sovereignty and the territorial crisis more thoroughly than any previous writer.

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