

America's Great Debate: Henry Clay, Stephen A. Douglas, and the Compromise That Preserved the Union

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Review

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Bordewich, Fergus M. *America's Great Debate: Henry Clay, Stephen A. Douglas, and the Compromise that Preserved the Union.* Simon & Schuster, \$30.00 ISBN 978-1-4391-2460-4

Stemming the Tide of War

Of all the attempts to avert the looming sectional crisis, the Compromise of 1850 offered the greatest hope that the North and South could find a peaceful settlement. Fergus M. Bordewich, journalist and author of *Bound for Caanan*, offers a well-written synthesis of the debate for the general reader, with particular attention to the near war between Texas and the U.S. over the boundary with New Mexico and the exhaustive debate in the Senate, led by Henry Clay. The legislative history offered here will be familiar to scholars. *America's Great Debate* chronicles the blow-by-blow development of Clay's "omnibus" bill admitting California as a Free State, forming the territory of New Mexico without reference to slavery, settling the boundary between New Mexico and Texas, securing slavery in the District of Columbia, while repealing the slave trade in that district, and drafting a bill to return fugitive slaves to their southern masters. This approach floundered on the radical demands of northern and southern "Ultras" who refused to compromise on the admission or exclusion of slavery into the West. While these factions were successful in defeating the "omnibus" approach to the compromise, Senator Stephen Douglas successfully navigated the bill through the Senate by breaking it into its component parts.

Bordewich devotes great attention to the polished oratory of the antebellum era. In contrast to the "pathetic" level of contemporary Congressional debate, Bordewich insists the high level of antebellum debate is far more engaging (3). Henry Clay and Daniel Webster are praised for their lofty rhetoric, while Thomas H. Benton and Henry Foote are criticized for personal invective and boredom-inducing histrionics. These Senators were actually all-too-human; their plans were frequently brought to despair by their monumental egos and

parliamentary missteps. That these particular senators, all unionists, nearly destroyed their own attempts to save the Union through their personal hatred made their success all the more remarkable. By mid-way though the book, the reader will be wondering if Henry Clay will really find the needed votes for passage of his Omnibus. When it fails, the sense of tragedy and impending secession is profound.

While Bordewich focuses on the Senate, he helpfully situates the debate amidst the politics of jingoism during and after the Mexican War. California, so often seen as the center of the crisis, was a mere sideshow to a looming war with Texas militants on the New Mexico frontier, who sought to annex Santa Fe. Southerners were so bent on expansion that they raised Filibustering expeditions like the disastrous López invasion of Cuba. This emphasis on the West is nicely complemented with attention to the presidencies of Zachary Taylor and Millard Fillmore. These men, so often neglected by antebellum historians, become surprisingly relevant to the debate. Taylor's intransigence over any expansion of slavery very nearly destroyed all hope of compromise. Fillmore, in contrast, liberally dispensed executive patronage during the House debate and likely secured passage of the territorial "omnibus." By situating the legislative history in its broader political and cultural milieu, Bordewich creates a fairly convincing argument that, but for the determination of a handful of statesmen, Civil War would have started in Texas, and spread to the South.

Despite its passage, the Compromise ultimately failed to gain the support of southern and northern people. Far from providing a binding settlement, he argues, "...the apparent peace that had been achieved by the compromise might really prove to be a means to new and unanticipated political wars" (345). The key requirement for an enduring bi-sectional compromise was the leadership of statesmen who were willing to treat their differences as political and technical, as Clay and Douglas did, rather than as constitutional and moral, as Abraham Lincoln and William Seward did. The compromise of 1850 consisted in territorial adjustments, not moral theorizing, and so common ground could be found. Most Senators agreed that California was entitled to statehood; most wanted a peaceful settlement to the Texas boundary question. They could not have reached agreement on whether popular sovereignty included the right to prohibit slavery in the West. The Unionists in 1850 were able to fudge the differences only with careful parliamentary maneuvering, which Bordewich makes intelligible with his lively prose.

America's Great Debate concludes, fittingly, with the deaths of Clay and Webster. One wonders if the demise of these legislative giants was one of the interior causes of the Civil War. Douglas, for a moment emerged as the next pre-eminent statesman by securing the Compromise of 1850. Unwittingly, he undid his achievement a mere four years later when he permitted the expansion of slavery in the Kansas-Nebraska act. Lincoln then challenged Douglas's position of prominence in the North by reframing the debate as a moral argument for free soil and against slavery. Douglas's finely-tuned policy compromises could not adequately answer this challenge. Neither could presidents like James Buchanan, "one of the most experienced and least capable men to ever sit in the White House ," lay out a moral argument acceptable to both North and South (373).

A strength of the book is that it presents the debate over slavery in its proper context. The most effective political arguments were the moderate Whig defense of Union and the Democrats' linkage of Manifest Destiny and slavery. While abolitionists like Frederick Douglass and William Seward are taken seriously today, Bordewich is clear that their contemporaries marginalized them in debate. In contrast, positions that today would be considered extreme, such as the defense of slavery as a positive good by "ultras" from the Deep South, are carefully digested from the speeches by John C. Calhoun and David Yulee. This careful attention to pro-slavery and moderate arguments helps the reader understand the limits of what was politically feasible in 1850.

Bordewich, then, correctly apprehends the roots of the Civil War in a moral debate over slavery. He neglects an equally significant set of constitutional debates. Southern nationalists like Calhoun claimed that "our right to go [West] with our property is unquestionable," not simply because they believed slavery to be a blessing, but because they understood the U.S. Constitution to guarantee their property rights (61). Abolitionists, likewise, opposed the expansion of slavery as a violation of the "Higher Law," to be sure. However, Bordewich neglects their Constitutional innovation—the argument that slavery violated the substantive rights of all Americans under the due process clause of the Constitution. His focus on the titanic conflicts between individual senators suggests that personality, rather than a constitutional disagreement about the nature of the Union, drove the North and the South further apart. Unfortunately, he treats constitutional theory as window dressing for racial argument; to wit, he claims that "the doctrine of states' rights [was] invented largely as a firewall in defense of slavery" (15). In point of fact, New England Federalists were among

the most prominent early defenders of states' rights against what they perceived to be an aggressive Southern nationalism. In response to the Fugitive Slave Law, many northern state legislatures passed personal liberty laws under the theory that their states had the right to resist a southern-dominated national government. A full examination of the compromise, then, would take examine the constitutional nationalism of Southern "Ultras" who wanted both an empire of slavery and believed the U.S. Constitution granted it to them. Bordewich accurately portrays the southern pro-slavery tradition and the abolitionists' rights critique of slavery; but misses the way that both sides used states' rights theory to interpret the Constitution. Although this book does not fully develop the constitutional angle, *America's Great Debate* still offers a lively and faithful legislative history, which places the Compromise into the context both of the sectional slavery debates and the coming of the Civil War.

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