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2016

**An Examination of Political Rhetoric in the State of
New York During the Second Party Era, 1828 – 1854**

Total Word Count: 39, 544

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Introduction

The political rhetoric of the Second Party Era has not always been viewed as intellectually or even on occasion politically meaningful. In the opening to his book *The Politics of Individualism* Lawrence Frederick Kohl relates a story in which he runs into a former professor he has not seen in some time, who expressed open disappointment when Kohl revealed he was working on 19th Century political rhetoric. The Second Party Era and its ideal have been somewhat overshadowed by its legends, which tend to revolve around tales of staggering corruption. In addition, when viewed from a cynical 21st century perspective, it is hard to take the words of Second Party Era politicians seriously. Their rhetoric was contained sweeping promises of wealth beyond measure, and threatened the collapse of human civilisation, and even decency, if their arguments were not supported and implemented. The public at large has also been dealt with in a fairly condescending manner, and the advent of white manhood suffrage is perceived by some writer to have merely been an opportunity for politicians to hoodwink an unwitting electorate that was insufficiently informed to make decisions on anything other than visceral reaction. This is however unfair, and enforces a modern cynicism upon interpretations and examinations of the political rhetoric of the period. Politicians of this period meant what they said, that both the leaders and individual citizens of the United States were deeply concerned with the nature of democracy, and how to create a genuinely egalitarian society. Federalism, and any form of American aristocracy was dead. Both the Whigs and the Democrats considered themselves inheritors of the Jeffersonian mantle. However they were pursuing the goal of an egalitarian society in nation rapidly evolving in demographic, economic and financial terms. These changes were creating a society of competing interests, and it was to the task of regulating and uniting these interests that political rhetoric addressed itself.

The rise of machine politics of the type pioneered by Martin Van Buren and the Albany Regency, a group of young politicians who emerged onto the political scene in the late 1810s confirmed this. The group was made up of men who would become prominent in New York politics and the nation over the next 40 years; William L. Marcy, Benjamin F. Butler, Silas Wright, Edwin Croswell, Azariah C.

Flagg and Churchill C. Cambreleng.¹ In 1821 the Regency and its supporters dominated the Constitutional Convention of that year, holding 110 of 126 seats.² The Constitution they pushed through did away with property qualifications for voting, replacing them instead with a requirement to pay taxes, work on the state roads or to serve in the militia.³ Politicians began to address their rhetoric to a far larger number of constituents. The rhetoric they used necessarily changed. While it shifted to embrace democratic concepts and institutions, politicians also developed rhetorical strategies which aimed to create and maintain the large coalitions of fractious politicians which made up the mass democratic parties of the second party system. This became increasingly difficult throughout the period, as the Second Party Era evolved.

The rhetoric they used has been viewed with cynicism, often interpreted as rabble rousing efforts by politicians hungry for power or wealth. However while the corruption of the era was staggering by modern standards, it was not interpreted as such by contemporaries. When William Marcy made his observation that “to the victors go the spoils”, he knew he would maintain his popularity with his constituents and party members for whom political triumph promised very real, measurable pay offs. To Americans, political victory meant reward, just as much of the political rhetoric of the era promised rewards – prosperity, freedom, access to new educational or transportation facilities, healthcare and employment. This was not a cynical age, but rather an age when citizens were used to seeing their politicians pay out on promises made on the campaign trail. Their grandfathers had fought for freedom and independence. Their leaders had delivered upon it. Second Party Era politicians offered prosperity and an egalitarian society of wealth and opportunity.

Hope for reward from the future was tempered by a growing fear of change. Social reform movements grew in popularity and influence, seeking, occasionally successfully, to alter Americans’ attitudes towards religious practice and thought, alcohol consumption, the role of the state in the

¹ Milton M. Klein (ed), *The Empire State: A History of New York*, New York 2001, p. 296.

Note – Benjamin F. Butler should not be confused with the Civil War general of the same name.

² Ibid. p. 302.

³ Ibid. p. 303.

care of the infirm, the morality of slavery, and myriad other issues. During the Second Party Era, the political parties of New York were confronted by political events that began to test their cohesion; the Bank War of the 1830s, the Mexican War of the 1840s, and, always developing, sectional hostility over the issue of slavery. As these issues were debated, the population of New York State skyrocketed, propelled by a drop in infant mortality and a huge influx of immigrants during the 1840s. In response to these changes and influences, rhetoric evolved to attempt to unify the often fractious factions jostling one another for different causes, either embracing or rejecting the changes occurring all around them.

New York had a large and heterogeneous population, and its geographical position had already made it the most important economic centre of the nation in 1828; she would go on to become the pre-eminent economic, financial and mercantile state of the nation by 1840. The arrival of thousands of immigrant Americans created new cultural tensions and new political forces, both in defence of and opposition to immigrant communities. New York was also the site of some of the most radical and aggressive reform movements of the era. The counties of Western New York, nicknamed the “Burnt-Over” or “Infected District”, were the site of some of the most enthusiastic Protestant revivals. Known as the Second Great Awakening, these revivals swept again and again across this section of New York. They inspired reform movements such as prison and asylum reform, temperance movements and educational reform efforts which played active roles in state politics. The state’s political system was also exceptionally advanced. New York’s political organisations were designed to appeal to and mobilise mass democratic populations. The struggles of these organisations, both Democratic and later, Whig, in both internal and external terms, would produce many of the most influential politicians of the era. The intensely complex partisan political conflict of New York was galvanised by a growing and combative free press. In addition, besides the major parties the politics of New York would be heavily influenced by influential third parties that emerged in response to specific crises and social movements and developments. New York had a tremendous spectrum of views and distinct groups that are suggestive of trends elsewhere in the United States.

There are many works that are of great use when conducting a study of New York's political rhetoric during the Second Party Era. Daniel Walker Howe's *What Hath God Wrought* and Sean Wilentz', *The Rise of American Democracy* trace divisions in conceptions of democracy which developed after the victory of Andrew Jackson in 1828 and continued to become more developed and exacerbated until the outbreak of the American Civil War in 1860. Harry L. Watson's, *Liberty and Power: The Politics of Jacksonian America*, shows the way in which politics during the Jacksonian period were heavily influenced by the notion of a balance between freedom and individual and governmental power, and how this was one of the defining elements of political conflict in this period – an important concept to understand when analysing Second Party Era political rhetoric. A useful broad history of the State of New York, *The Empire State*, edited by Milton M. Klein provides an excellent categorical history of the State. An older work, David Ellis' *A History of New York State* is also very useful for a broad overview of the state's history. Works relating more specifically to political conceptions and philosophies are similarly common on the broad history of the nation, but less common when specifically dealing with New York, or with the antebellum period, typically covering a broader area and time span. Indispensable for a study of New York in these terms, therefore, is Mark L. Berger's *the Revolution in the New York Party Systems 1840 – 1860*, which provides a superb examination of the pressures which led to the collapse of the Second Party System in the state. Berger highlights particularly the way in which pre-existing intra-party divisions were exacerbated by the slavery issue.

There are many excellent books that debunk the theory that the Whig Party had no political philosophy beyond opposition to Andrew Jackson (or unrestrained avarice). Michael Holt's *magnum opus*, *The Rise and Fall of the American Whig Party* is a vital aid to understanding the development of Jacksonian opposition into a coherent party. Holt highlights the way the fortunes and misfortunes of the Whig Party were heavily influenced by their internal divisions (often of a sectional nature) and their competitive relationship with the Democratic Party. He makes an effective argument that the Whigs were far more than simply a collection of politicians opposed to Jackson however, charting

their development of, and battle to promote, a coherent political philosophy. Daniel Walker Howe's *The Political Culture of American Whigs* In relation to the other sources and the historiographical debate as to the overall meaningfulness of the rhetoric of the Second Party Era, Howe rejects the idea that social conflict in Jacksonian America was exaggerated. He notes the violent nature of the society in which this rhetoric was deployed, and argues that Whig – Democratic conflict was actually an expression of broad divisions in American society. In regard to the historiographical question of similarities between Whigs and Democrats, Howe argues that there was often a consensus on means but not on ends between Jacksonians and Whigs.

There are several examinations of the Democratic Party, and of Jacksonianism. John William Ward, in his work *Andrew Jackson: Symbol for an Age*, examines the meaning that the image of Jackson held for his contemporaries. He argues Jackson's image is a combination of the themes of will, nature and providence, and that these themes represent impulses present in American society during the Second Party Era. Marvin Meyers, in his work *The Jacksonian Persuasion* argues that party conflicts were not merely public spectacles, but rather moral dramas, with salvation or damnation in the balance. He points out that Jacksonianism cleared the way for laissez faire capitalism whilst holding in their political conscience an ideal of a chaste republican order that rejected greed, extravagance, rapid motion and complex dealings. John Ashworth's work *Agrarians and Aristocrats* is also useful for developing ideas about the central philosophies of both Whigs and Democrats; however I reject his argument that Whigs were by definition opposed to egalitarianism.

Indispensable for consideration of concepts of democracy during this period is Lee Benson's *Concept of Jacksonian Democracy*. Benson rejects the distinction traditionally made between Whigs and Democrats as the parties of aristocracy and democracy respectively. He also points out that the Democrats and Whigs used the same kind of language, and that in fact the differences between them had more to do with means than ends; positive vs. negative theories of the role of government. Examine the leadership of both parties Benson rejects the argument they came from

distinct socio-economic groups, finding numerous commonalities between them. Also useful is Kohl's *The Politics of Individualism*, in which he stresses the individualism enforced by the nature of American society during the Second Party Era. He cites radical economic and social change and argues that this placed a new and unfamiliar burden on the individual, who was shorn of traditional and established social ties and thrust into an impersonal economic and social system. Americans responded to the new pressures created by a society that stressed individualism with vary degrees of success. They divided into political parties on the basis of that success – those comfortable with change became Whigs, vice versa Democrats. For a study specifically on political language Andrew Robertson's *The Language of Democracy*, while broad, contains a useful chapter on the Second Party Era that highlights the way in which improved communications led to politicians directing rhetoric more at their supporters in the electorate than their opponents in government. Daniel T. Roger's *Contested Truths: Keywords in American Politics since Independence* focuses partly on New York, particularly on the Constitutional Convention of 1846, and notes the declining popularity of a political language that glorified majoritarianism in the 1840s and 1850s.

This study focuses on how New York politicians used abstractions and keywords of political idealism for ordinary political purposes as part of the daily contest between parties. It frames the development and evolution of rhetorical strategy over the second party system period, considers major questions relating to this topic. This study argues that over the course of the period, both the Whig and Democratic Parties used political rhetoric to create broad umbrella identities, beneath which they were able to gather large numbers of politicians of different political factions from across the broad political spectrum. The aim of these identities was to establish reliable partisan majorities which could be used to deliver electoral victories. This study also considers the breakdown of these identities which began in the mid-1840s, and culminated in the collapse of the New York Whig Party and the schism of the New York Democratic Party in 1854. In conclusion, this study explains why the rhetorical strategies which had developed over the 1830s and 1840s were unable to adapt to, and in

fact were one of the causes of, the pressure placed upon the second party system in New York by the rise of slavery as the major issue concerning the nation in the late 1840s and 1850s.

Between 1828 and 1846, the Whig and Democratic Parties of New York had substantial electoral success. They developed reliable blocs of voters that made New York elections hotly contested affairs, in which the parties vied for tiny fractions of the electorate in order to achieve a margin of victory. They achieved this through the use of rhetorical strategies that developed the identity of the party in clear terms with the public. These identities were multi-faceted – they encompassed not only economic, but social and moral attitudes. Over the course of the years between the election of Andrew Jackson, and the 1846 Constitutional Convention, these strategies allowed the two parties to develop broad political organisations that encompassed large numbers of politicians representing a spectrum of political attitudes. However as the Second Party Era Progressed, distinct weaknesses in this rhetorical strategy emerged. As the parties were confronted by the issues and events of the mid-19th century, they're principles became more and more fixed. Each new political challenge reduced the flexibility of the party identity, creating division and hostility within the party structures. By the late 1840s, both parties were riven by internal turmoil. When this issue of slavery forced its way into public debate in the late 1840s and 1850s, the rhetorical strategies the New York Parties had developed over the previous two decades proved unable to cope, and in fact exacerbated the divisions that slavery engendered. This led to the end of the Second Party Era in New York.

Chapter 1

In 1828 New York did not have a two party system. The state's politicians defined themselves as Jeffersonian Republicans. Historian Lee Benson argued convincingly that no such party as the National Republicans existed in New York in 1828, and that in fact the supposition of its existence creates serious misconceptions about New York's political history.⁴ However over the previous decade Martin Van Buren's Bucktail faction of the New York Republican Party had come to dominate New York politics. A loose group of politicians, who may be called Anti-Jacksonians, opposed them. These included the Anti-Masons, who had been inspired by the disappearance of William Morgan, a disgruntled Mason who had published an exposé on the rituals and practices of the Masonic order, in 1826. Morgan was subsequently imprisoned and then abducted. The real source of Anti-Masonry however was not the abduction, but the lethargy of the state authorities' investigation into the crime. Influential editors such as Thurlow Weed of the *Albany Evening Journal* stressed the dangers of political power in the hands of men whose primary loyalty was not to the nation, but to their cabal of influential friends. Freemasonry, allowed men to "propound an act of wickedness, and discuss it, and though it should be disapproved by the company, the propounder [sic] must remain unknown to the public, and unpunished."⁵ Anti-Masonic rhetoric focused on perceived threats to egalitarian values that were becoming increasingly influential in New York politics. The rhetoric of New York politics before 1834, and the emergence of the Whig Party, was heavily influenced by the rhetorical interaction between these three major groups, and this interaction would provide the foundation for political rhetoric in New York during the Second Party Era.

Political rhetoric during the 1828 presidential election in New York reflected both the inchoate nature of opposition to Jackson, and the lack of a two party system in New York at that time. However every faction active in New York politics used their rhetoric to defend the egalitarian values popular in New York following the advent of universal white male suffrage. Although in the 1828

⁴ Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case*, New York 1964, p. 29.

⁵ Henry Dana Ward, *The Anti Masonic Review and Magazine*, New York 1828, p. 215.

election rhetoric focused on the individuals, it had a broader meaning than a simple indictment or endorsement of either candidate. The two parties' attempted to present their candidates as ideal Americans, and, in doing so, they presented contrasting views on the virtues appropriate to political leadership and the nature of that leadership in relation to egalitarian democracy.

Anti-Jacksonian rhetoric focussed on moral indictments of General Andrew Jackson that partly reflect the disorganised nature of Anti-Jacksonians – they could not unite on policy issues. Their rhetoric was marked by themes that became common in the rhetoric of the Whig Party. Anti-Jacksonian rhetoric declared that Jackson's life had been "repeatedly marked by flagrant violations of morality, and want of decent respect for mankind."⁶ They portrayed Jackson as warlike, undisciplined and intemperate, arguing he could not be trusted to wield the power of the office. Vice "may indeed be said to have acquired a degree of legitimacy, if the only republic on earth, the preservation of which depends on the virtue of citizens and rulers, should elevate to the first office in its gift a man of blood stained and immoral character", warned a Republican Convention at Utica, New York, friendly to the re-election of John Quincy Adams.⁷ They compared this to Adams' "intellectual powers of the highest grade... cultivated with almost unexampled assiduity" in terms which assumed that this comparison was an indictment of Jackson's candidacy.⁸ The anti-Jackson coalition focussed on character attacks that presented Jackson as a threat to democracy. Rhetoric focussed on comparisons of Jackson and Caesar and the danger of an overly powerful executive. This rhetoric was designed to appeal to opponents of the Albany Regency, by arguing that it had developed political power by offering its friends, "the means of approaching the Legislature, of influencing its schemes and of obtaining its assent to selfish and private schemes."⁹ By linking "the tyrant" Jackson to the Albany Regency as a tyrannical organisation, Anti-Jacksonians used the

⁶ Republican Party (N.Y.), *State Convention: Proceedings and Address of the Republican Young Men of the State of New York, Assembled at Utica on the 12th Day of August, 1828*, Utica 1828, p. 13-14.

⁷ *Ibid*, p. 17.

⁸ National Republican Party (N.Y.), *Address of the State Convention of delegates from the several counties of the state New-York*, Albany 1828, p. 16.

⁹ *Ibid*, p. 23.

language of egalitarianism to communicate with the electorate.¹⁰ At the core of all New York rhetoric was a conflict over how best to effect egalitarian economic opportunity; this conflict would provide the basis for Second Party Era rhetoric in New York.

Democratic endorsements of Jackson shifted the debate into one over the nature of leadership in an egalitarian democracy. Jackson held “qualities which fit a man equally for civil, as for military, rule: strong native sense—correct and discriminating judgment—wisdom in contrivance, and promptness and firmness in execution—a knowledge of mankind, and unbending integrity.”¹¹ Jacksonians presented their candidate as the ideal American in terms that did not have a strong intellectual or professional basis. The Jacksonian definition of suitability for office stressed qualities easily attained by any individual, without requiring an expensive and superior education. They portrayed Adams’ long political career as proof of a conspiratorial nature, and Jacksonians argued that the “present dynasty has consolidated all the intrigue, impurity, and selfishness of the Union, into one phalanx of corruption, at the seat of government.”¹² Jacksonian rhetoric focused on presenting their candidate as the ideal choice of an egalitarian electorate by maintaining a strong anti-establishment, anti-intellectual basis. This developed a powerful narrative of “haves” conspiring to take advantage of “have nots.” Lawrence Frederick Kohl argues that this narrative keyed into prevalent anxieties and hopes in US society which were the principal cause of division within the electorate between Whigs and Democrats.¹³

Debate over the morality of the 1824 election result was central to the rhetoric of the 1828 election. This debate illustrated the divisions present in the two campaigns regarding the nature of political leadership and authority. Jacksonians attacked Adams for the “corrupt bargain” of 1824 –

¹⁰ *Ibid*, p. 16.

¹¹ Republican Party (N.Y.), *Address of the Republican General Committee of Young Men of the City and County of New York, Friendly to the Election of Andrew Jackson to the Presidency, to The Republican Electors of the State of New-York*, New York 1828, p. 15.

¹² Garret Gilbert, *An Address delivered at a meeting of the Republican Electors of the Ninth Ward of the City of New York, ... on the Anniversary of the Glorious Battle of New Orleans*, New York 1828, p. 20.

¹³ Lawrence Frederick Kohl, *The Politics of Individualism: Parties and American Character in the Jacksonian Era*, New York 1989 p. 21-22 (Democratic fears) & p. 63-65 (Whig hopes).

the accusation that Adams had colluded with Henry Clay of Kentucky, promising Clay the office of Secretary of State in return for his support in the House decision on the presidency. Jacksonians furiously denounced the decision of the House, pointing out that Jackson had held the largest share of the popular vote, making him clearly, they argued, the choice of The People. Adams and Clay had therefore conspired to rob The People of their chosen representative. Anti-Jacksonian rhetoric rejected central the premise of the Jacksonian argument. Adams' supporters decried Jacksonian efforts to "fill the land with clamour against the *right* of the House of Representatives to elect [Mr. Adams]", an argument which was "dishonourable and dangerous to the Constitution."¹⁴ An Adams convention in New York observed that it had "been asserted that Mr. Clay, in voting for Mr. Adams, acted against the instruction of his constituents. We admit that the Legislature of Kentucky did instruct... members... from that State, to vote for General Jackson; but we deny their authority, broadly and *in toto*."¹⁵ [italics in original text] Differing attitudes toward the way in which representatives were responsible to their constituents is an example of the influence of egalitarian thought in New York political rhetoric. However this is not proof of an anti-egalitarian basis to the political ideology of the Adams campaign. Rather it highlights different interpretations of leadership roles. Adams men believed that egalitarian democracy meant choosing who would lead the community – Jacksonians argued that egalitarian Democracy meant electing leaders who simply carried out the wishes of their constituents, and did not seek to shape their opinions or actions.

Jacksonian rhetoric sought to redefine how constituents understood their relationship to their representatives, presenting the people not only as the ultimate source of their authority, but also as arbiters of the mandate of government. Jacksonians argued that the "corrupt bargain" had been a

¹⁴ Republican Party (N.Y.), *Address of the Republican General Committee of Young Men of the City and County of New York, Friendly to the Election of Andrew Jackson to the Presidency, to The Republican Electors of the State of New-York*, New York 1828, p. 4 Col II – p.5 Col I. [For the specific states these delegates hailed from, please see the original text].

¹⁵ Republican Party (N.Y.), *State Convention: Proceedings and Address of the Republican Young Men of the State of New York, Assembled at Utica on the 12th Day of August, 1828*, Utica 1828, p. 17

“violation of the *spirit*” of the Constitution.¹⁶ [Italics in original text] Jacksonian rhetoric encouraged a reinterpretation of widely accepted constitutional principles, such as the right of Congress to choose the President in the 1824 election, and, during the Bank War, the constitutionality of a national bank. Jacksonians took advantage of the expansion of the electorate to reframe political debate in terms that the majority of the electorate found easy to understand – simple messages that stressed the importance of common virtues and egalitarian values.¹⁷ Thus Jacksonians argued without regard to the legality of their position or that of Adams men, that Adams had interfered, “in the most shameless manner, with the sentiments and elective rights of the people” In the 1824 election.¹⁸ Jacksonian rhetoric stressed the authority of the people over that of their representatives by focussing on this alleged abuse of the “rights of the people” and ignoring the constitutional legitimacy of Adams’ election. By doing so they sought to cast themselves as “the Peoples Party”, by accusing Adams of violating rights that did not exist.

Adams supporters attempted to derail Bucktail efforts by attacking their organisation and party structure. Adams men argued that they sought to

emancipate this state from the fetters of a faction... proscribing talents and patriotism, dispensing the patronage of the State in reckless profusion on an illiberal and mercenary press, filling the offices of the State with men unknown by any public services, ungifted with talent, unfaithful to democratic principles, and bending their whole powers to the purposes of selfish aggrandizement.¹⁹

Again, there was an egalitarian basis to the rhetoric – that the Albany Regency held too much power, it corrupted the Democratic system, and it created a select number of men of wealth and political power whose status was established by their party rather than by the will of the electorate.

¹⁶ Republican Party (N.Y.), *Address of the Republican General Committee of Young Men of the City and County of New York, Friendly to the Election of Andrew Jackson to the Presidency, to The Republican Electors of the State of New-York*, New York 1828, p. 5.

¹⁷ For an extensive discussion of the simplification of political issues and language see Andrew W. Robertson’s *The Language of Democracy: Political Rhetoric in the United States and Britain, 1790-1900* (1995), p. 68-96.

¹⁸ Republican Party (N.Y.), *Address of the Republican General Committee of Young Men of the City and County of New York, Friendly to the Election of Andrew Jackson to the Presidency, to The Republican Electors of the State of New-York*, New York 1828, p. 11.

¹⁹ Republican Party (N.Y.), *State Convention: Proceedings and Address of the Republican Young Men of the State of New York, Assembled at Utica on the 12th Day of August, 1828*, Utica 1828, p. 23.

Jacksonians, in their refutation of these accusations, sought to reform popular conceptions of suitability for office. Senator William L. Marcy of New York declared that to victors in political contests “belong the spoils of the enemy.”²⁰ Jacksonians argued that success in political competition gave the party not only the right, but the responsibility to award patronage among its followers. Parties were the channel through which the people expressed their will, legitimised at the ballot box. The appointment of individuals on the basis of party affiliation and participation was a vindication of that expression. The rhetoric of Jacksonian opposition, stressing the intellectual qualifications of Adams, rejected this premise.

Conspicuous in its absence is overt reference to Anti-Masonry during the 1828 campaign, both state and federal. Neither the Adams nor Jackson ticket could take advantage of this “excitement.” Although Adams had publically denounced Freemasonry, Clay was a confirmed Mason – Jacksonians had the same problem with their candidate. However the rhetoric did respond to this new and powerful social movement. Rhetoric often focussed on alleged conspiracy, corruption, and the combination of men of influence to subvert democracy. Anti-Masonry itself, with its focus on the equality of men under the law, had a strong egalitarian basis for its criticisms of Freemasonry. In a society that was experiencing rapid change caused by a rapidly developing market economy, of which there was little understanding, the fear of compromising the democratic process was rife. Increased opportunity resulted in concentrations of wealth that would have been unimaginable twenty years earlier. The triumph of Republicanism over Federalism was fresh in the minds of New Yorkers in 1828, and the previous decade had been marked by a series of state conventions in which expanded suffrage had been fiercely contested. Both Jacksonians and their opposition were to an extent ideologically attracted to Anti-Masonry for its egalitarian basis. In practice though, the prevalence of Freemasonry in the leadership both groups made it difficult to take advantage of this popular “excitement.”

²⁰ William Learned Marcy, *Respectfully Quoted: A Dictionary of Quotations*. 1989, n.d. <www.bartleby.com/73/1314> [accessed 10 July 2016].

The emergence of The Workingmen's Party provides another example of the effects of Jacksonian rhetoric stressing the primacy of the wishes of The People over those of their leaders, and their successful definition of political contest as being between political and economic insiders and the great mass of the people. The Workingmen's movement was prompted by the creed of democracy adopted by the Democratic Party during the 1820s and the changes that were occurring within the economy of the state and nation. As the Erie Canal expanded and concentrations of wealth grew, at the opposite end of the social scale grew, in urban areas, a large group of people in poverty. It threatened those at the lower end of the scale of wealth whose prospects for future improvement were most threatened by economic change. However unlike the political rhetoric of the parties of 1828, the Workingmen identified policies in relation to the threats to egalitarian economic opportunity they identified. "The power of loaning... capital, and of distributing the bills..., which may cause plenty or scarcity... is committed to a very few", complained a Workingmen's convention held in New York City in December of 1829.²¹ The Workingmen claimed this developing group of powerful capitalists was "composed of a class of men possessed of mercantile power, that threatens destruction to the great body of the merchants."²² The new party then attacked the Democrats on the ground it had failed to democratise New York State politics; "Our legislators, by affixing enormous bonds to most of the appointed and many of the elective offices, have given to the holders of property an undue influence in obtaining them."²³ The criticisms of the Workingmen's Party used the same democratised rhetoric the Democratic Party had used in the last election, but adapted to the new system of party politics. Thus, "Party favorites and apostates, next to aristocrats, have wormed their way into power", combining with "the insidious influence of the lobby... who... would not hesitate... to consign us and our children to the perpetual subjection of a baneful monied [sic] aristocracy."²⁴ Using the language of the 1828 Democratic campaign, the

²¹ Workingmen's Party (N.Y.), *The Proceedings of a Meeting of Mechanics and other Working Men held at Military Hall, Wooster Street, New-York*, New York 1830. p. 9.

²² *Ibid.*

²³ *Ibid.*, p. 14.

²⁴ *Ibid.* p. 13 – 14.

Workingmen's Party forced Jacksonians to confront the practical implications of their rhetoric.

During the second party system, political debate would be closely tied to the propriety and efficacy of the policies of the major parties.

The Workingmen's Party's history illustrates the limits of changes in the political conceptions of the public. The rhetoric the major parties used to attack the Workingmen reveals the importance of the "reassuring" element of political rhetoric. When Jacksonians lauded the simple, manly virtues of Jackson, they reaffirmed an identity they claimed was quintessentially American. This identity had an important conservative element. The nation went through broad economic and social changes during the Second Party Era. This created anxiety in New York society, closely related to decreasing and increasing economic importance for different industries, as well as social anxiety caused by the breakdown of traditional social relationships and the increasing importance of urban areas traditionally considered hot beds of vice and corruption. Attacks on the Workingmen's party focused on members that held political attitudes too radical to be accepted by the overwhelming majority of the public. The *New York Spectator*, a subsidiary paper of the *Commercial Advertiser* and supporter of the Adams Campaign, claimed it had reason to believe the Workingmen's projectors were,

Fanny Wrights, in men's clothing. We mention this that mechanics and others may not be taken in; for we are well assured, there is not a single respectable person, of the above class, in that ward, but would consider his name and character made infamous by association with the infidel herd.²⁵

Certainly, there were radicals amongst them. Frances Wright's rhetoric embraced broad political change and radical concepts of women's rights. Thomas Skidmore, another prominent party member, was the author of *The Rights of Man to Property*, which asserted the only commodity of any value was labour and advocated property redistribution. These radical attitudes intensified fears that the Workingmen's party was a product of the kind of Jacobin mobocracy that conservative politicians feared Jacksonianism would produce. However the rhetoric of the Workingmen's Party

²⁵*New-York Spectator*, 18 December 1829.

sought to refute these charges to legitimise itself. “We have no desire or intention of disturbing the rights of property in individuals or the public”, explained the 1829 Convention, rather, “we consider the acquiring of property... as one of the greatest incentives to industry.”²⁶ Conservatism and reassurance of the presence and strength of common social and moral values were prominent elements of New York rhetoric during the Second Party Era.

By the 1830s, in response to increasing demands for egalitarianism throughout society, Republican rhetoric became increasingly focussed on promoting the vision of an egalitarian democracy. It is difficult to divide interpretations of this vision between Jacksonian and Anti-Jacksonian factions. This is primarily because until the emergence of the Whig Party, there was no two party system in New York. Benson also noted the serious incongruity between the rhetoric of egalitarianism and democracy espoused by Jacksonians, and their poor track record for expanding democracy in the New York legislature – in 1821 for example Van Buren had opposed universal white male suffrage.²⁷ The reluctance of the establishment in 1828-1829 to support either Anti-Masonry or the Workingmen’s movement, suggests that politicians adjusted their rhetoric to egalitarian impulses only reluctantly. In addition to the egalitarian themes present in the rhetoric of those years – praise of The People, warnings of conspiracy and corruption - there is also a strong conservative element – fear of mobocracy, and calls to stay the course of the Founding Fathers. How politicians understood egalitarianism in society and reconciled it with conservatism shaped the rhetoric of the Second Party System.

The success of the Jacksonians changed the major elements of public political discussion. Jackson’s election was for many a vindication of the accusation of corruption levelled at John Quincy Adams following the election of 1824. Jacksonian rhetoric would continue to stress the power of the people to control the actions of their representatives. Their rhetorical strategy would continue to

²⁶Workingmen’s Party (N.Y.), *The Proceedings of a Meeting of Mechanics and other Working Men held at Military Hall, Wooster Street, New-York*, New York 1830. p. 5.

²⁷ Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case*, New York 1964, p. 8.

present political debate as a confrontation between the people, and exclusive elitist organisations which sought to curtail their liberty or deny them their rights. Although Andrew Jackson's presidency included acts of unprecedented executive power, these were presented as defending egalitarianism. Elements of criticisms of Jackson would re-occur in Whig rhetoric later in the Second Party Era. Jacksonian rhetoric took advantage of divisions in American society that were already present to develop a prevailing narrative. But that narrative had severe flaws. Besides the fact that Jacksonian policy often did not reflect its egalitarian rhetoric, Jackson's popularity in the state was by no means overwhelming – in 1828 he only received 51 percent of the vote.²⁸ In the future, it would be to the 49 percent that opposed his election that Whig rhetoric would appeal with an alternate interpretation of egalitarian democracy. Adams' campaign had not advocated a clear policy program, in keeping with its interpretation of the role of representatives as leaders of the people. However this interpretation does not compromise the egalitarian basis of the Adams campaign ideology. Rather it is a characteristic of the embryonic form of what became Whiggery, particularly in terms of championing education, intellectual development and suspicion of an overtly powerful executive.

²⁸ *Ibid.* p. 31.

Chapter 2

By 1834 opposition to Jacksonian Democracy had united under the banner of the newly formed Whig Party. Whig political ideology stressed opposition of executive tyranny, economic improvement, and social harmony and mobility. This mobility, Whigs argued, would be created via the market orientated economy envisioned by Henry Clay's American System. The prosperity it produced would facilitate the general prosperity of all Americans. Whigs did not believe that the economy was a zero-sum game. General improvement and development of the economy through internal improvements, they argued, would benefit everyone, ensuring equality by disseminating success. They championed the credit system as a tool which could be used by the less wealthy to enter the business world. However Whiggery did not spring Athena like from the head of Henry Clay. Marvin Meyers noted that Whigs maintained the ideals of republican virtue and routinely invoked the memory of the Founding Fathers and classically American imagery in the same way as the Democrats.²⁹ What is often missed is the distinctly egalitarian nature of Whig rhetoric and ideology, owing to the success of the Democratic Party during the 1830s in creating a prevailing narrative in state and national politics which portrayed the Whigs as "the Bank Party."

This narrative began in 1834, when the Jackson administration became determined to reduce the influence of the Bank of the United States (BUS). To achieve this Jackson put into motion plans to remove the Federal deposits held by the BUS, beginning the "Bank War" of the mid-1830s. However New York already had a bank war of its own. In 1829, under the sponsorship of Van Buren, the New York legislature had passed a law establishing a safety fund. The fund demanded that all banks contribute to a reserve fund that would be used to prop up any bank that failed – effectively protecting the public and increasing the stability and strength of New York banks.³⁰ But the provisions of the fund also allowed men to buy bank stock by paying only a fraction of the authorised capital. In effect it turned banking in New York into what Benson defined as "a tightly

²⁹ Marvin Meyers, *The Jacksonian Persuasion: Politics and Belief*, Stanford 1960, p. 14.

³⁰ Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case*, New York 1964, p. 91.

controlled legal monopoly” which gave the Regency the power to reward friends and punish enemies.³¹ Anti-monopoly rhetoric had been used by both the Workingmen’s and the Anti-Masonic Parties, both of which were political vehicles dedicated to egalitarian economic and social values. It was Whiggery that sought to create economic equality via expanding opportunities for economic participation. With the safety fund the Democrats had, in the words of Benson, simply “improved on the Federalist model of the positive paternal state.”³² In order to answer Anti-Masonic and later Whig criticisms, Democrats focused their rhetoric on a different “monster” monopoly – the Second Bank of the United States.

BUS president Nicholas Biddle’s response to the removal of the federal deposits unintentionally aided the Democratic Party; he sharply contracted the BUS’ lending and raised short term interest rates so high that many firms had to curtail expansion plans or slipped into bankruptcy, a turn of affairs swiftly followed by layoffs. New York Democrats struck the political blunder without mercy. “The Bank of the United States has curtailed its loans... to the enormous amount of \$9,697,000, and all of this curtailment has taken place in the entire absence of any revulsion in trade” claimed Democratic Senator Silas Wright.³³ The “[m]achinery of curtailments and imaginary pressure and panic” the Democratic *Albany Argus* asserted, had been mobilised by the BUS “to produce actual distress among those whose extended operations require the aid of unusual money facilities.”³⁴ Democratic rhetoric emphasised the weakness of Whig rhetoric which defended the bank. Democrats portrayed the Bank as an institution hostile to the liberties of individual Americans, and Biddle’s actions appeared to confirm this. Whigs defended the Bank; a central banking institution was too important to their economic politics to abandon it. Democrats relied on hostility to

³¹ *Ibid.* p. 92 & 47. Note – To be clear, the Safety Fund’s provisions allowed the State Assembly to decide who could operate a bank, where it could be located and how it could be operated, therefore constituting a strict legal monopoly.

³² *Ibid.* p. 92.

³³ Silas Wright, ‘Remarks of Mr. Wright in the US Senate, On Submitting the Resolutions of the State of New-York Against the Restoration of the Deposites, and Against Recharter of the U.S. Bank’, *Albany Argus- Extra*, March 1834, p. 5 col 1.

³⁴ *Ibid.* p. 1 col 1.

banking monopolies to portray the BUS as the greatest monster of them all, and the Whigs as defending it. In doing so they undermined the egalitarian basis of Whig rhetoric and ideology. Between 1833 and 1837, Democrats developed a prevailing narrative that cast the Whig Party as being a party of the economic elite unwilling to share power or prosperity. The New York Democratic Party rhetoric tied these accusations to constitutional propositions. The Democratic Party argued that it defended the Constitution. “I go against this Bank”, declared Wright, “and against any and every bank to be incorporated by congress... , upon the broad ground, which admits not of compromise, that congress has not the power, by the constitution, to incorporate such a bank.”³⁵ Democratic rhetoric against the Bank defined it not simply as being an adverse influence on the interests of the population, but unconstitutional, and therefore un-American in nature. Wright’s argument was false; a national Bank was constitutional concept, and had been found so before. However, the point of the rhetoric was not to make concrete constitutional changes – it was to portray the struggle against the Bank and the Whig Party as being a struggle in defence of the Constitution – to develop a prevailing narrative.

The simplicity of the issue as the Democratic Party presented it to the public, “Bank or no Bank”, the focus placed upon the alleged constitutional element of the issue and appeals to the legacy of the Founding Fathers were combined with an indictment of the Bank’s close relationship to, but autonomy from, the government.³⁶ The BUS was “a great chartered Monied Power [*sic*], more potent than the government, with vast faculties of mischief, and equal aspirations of ambition” charged the *Albany Argus*.³⁷ Democratic rhetoric turned the BUS into a “monster”, presenting it to the electorate as existing in defiance of the Constitution. The Constitution in turn was presented as the bastion of liberty; thus the BUS was a threat to American freedom and democracy. This kind of language was an effective tool in developing Party identity. It allowed the Democrats to not only define themselves as anti-Bank and the Whigs as pro-Bank, a usefully simple differentiation, but also

³⁵*Ibid.* p. 5 col 2.

³⁶*Ibid.* p. 1 col 2.

³⁷*Ibid.* p. 2 col 1.

allowed them to define the terms upon which that differentiation was made. By attacking the Bank as un-democratic, they were able to simultaneously paint its supporters as such.

This kind of ideologically based rhetorical offensive was useful for maintaining party discipline. Although the Democratic Party was divided on issues such as internal improvements, broad ideological principles such as opposition to the BUS, expansion of the suffrage and increased rotation in office gave them an umbrella identity under which the party could unite. For the New York Democratic Party this identity focussed on a vision of democracy that bore little resemblance to the attitudes of the Constitution's framers, who had envisioned a republican system of government wherein the authority of representatives was insulated from the whims of the people at large. Democratic rhetoric sought to adjust popular conceptions of the Constitution with regard to the constitutionality of the BUS itself. The Jackson administration was on unstable legal ground regarding the removal of the deposits; according to the BUS' charter, federal deposits could not be withdrawn unless Congress declared them unsafe. In 1833 the House had voted by a more than two to one to accept the majority report of the Ways and Means Committee, that the deposits were safe. Jackson however perceived himself to be in possession of a popular mandate which allowed him to bypass these regulations if acting in defence of the people. Jackson's actions, argued the 1836 New York Democratic convention, constituted a "uniform adherence to the true principles of democracy, illustrated in repeated instances by an open denunciation of measures calculated to subvert them."³⁸ The language of this rhetoric again reflects the efforts of the Democratic Party to establish the terms of the debate. By presenting Jackson's "denunciation of measures calculated to subvert" democracy as evidence of his "adherence to the true principles" of democracy, Democrats developed both their own identity and that of the Whigs in terms which favoured them; what Democrats criticised, and what Whigs supported, was undemocratic.

³⁸ Democratic Party (N.Y.) State Convention, 'Democratic State Convention', *Albany Argus-Extra*, September 1836, P. 5.

In the face of this rhetoric the New York Whig Party struggled to define itself in terms which were palatable to the wider electorate. The difficulty experienced by opponents of Jacksonianism trying to unite disparate opposition to the Albany Regency, was that the most organised opposition group, the Anti-Masonic Party, was avowedly anti-organised politics and parties. Anti-Masonry, argued Anti-Masonic New York Congressman Frederick Whittlesey, “was emphatically a spontaneous movement of the people themselves, not only in absence of, but in defiance of the counsels of political leaders.”³⁹ Part of this resistance to cooperation with other groups opposed to Jacksonianism was the way in which Anti-Masons saw themselves as dedicated to a single political purpose; the eradication of Freemasonry. This purpose translated itself into a political philosophy which stressed distinctly egalitarian principles – equality under the law, opposition to undemocratic concentrations of power and an end to social deference. Whittlesey explained the motivation of the Anti-Masonic party by arguing that “Masonry and Masons had violated the laws; ... Masonry and Masons had obstructed the execution of the laws... Masonry was a dangerous institution and must be put down.”⁴⁰ Whigs eventually tapped into this central theme of Anti-Masonry with rhetoric that focussed on Jackson’s alleged usurpation of powers which the Whigs argued were the primary prerogatives of Congress, such as his dismissal of Treasury Secretary William J. Duane. By stressing the threat of Jackson as a tyrant, Whigs began to develop an egalitarian rhetorical narrative of their own.

Whig political philosophy argued that all Americans could, by virtue of hard work, share in the general prosperity of the nation. This philosophy hinged on the concept of a harmonious relationship between employers and employees, but also encouraged individualism. While the Whig Party agreed that there were both good and bad concentrations of power (reflected by the fact that so many former Anti-Masons joined the Whigs after the party dissolved in 1834), they rejected the idea that wealth always corrupted. This kind of rhetoric appealed not only to the wealthy, but also

³⁹ Jabez D. Hammond, *The History of Political Parties in the State of New York, from the Ratification of the Federal Constitution to December 1840, Vol II*, (IV Edition), Buffalo 1850, p. 378.

⁴⁰*Ibid.* p. 377.

to ambitious members of the middle class: foremen, small business owners and entrepreneurs, who found it difficult to reconcile their consciences with their growing wealth. It also appealed to those wealthy elites who were losing their position as moral leaders of the community in the face of levelling Democratic ideology. It worked particularly well in regions which had been intensely affected by the Second Great Awakening, such as the Burnt-Over District. This series of popular Protestant revivals swept through the western section of the state. It was particularly popular with the middle classes, and lent strength to the notion of personal responsibility for moral salvation not just of oneself, but also of others. This philosophy merged well with the Whig conception of the positive role government should play in promoting the welfare of the people. Beyond this, evangelist rhetoric merged well with the Whig belief in the positive nature of individualism. John Ashworth argues that many Whig policies were designed to “combat the levelling tendencies of Jacksonian Democracy.”⁴¹ However this definition, explicitly understood, does not consider the egalitarian basis of Whig ideology. Whig rhetoric embraced an individualism which could take advantage of education and economic opportunity in the same way that evangelists embraced an individualism that could facilitate spiritual salvation; they did not embrace social inequality.

The New York Whig Party fought the Democratic Party on the Bank issue by tying national Democratic policies regarding the Bank to local ones in ways that presented the Bank’s destruction in an unfavourable light. The Whigs appealed to the business community that relied upon the BUS to provide a stabilising influence on the nation’s currency, and portrayed Jackson’s actions as being characterised by excessive use of executive power. It seized on Democratic Governor William Marcy’s effort to protect New York State banks from Biddle’s credit contractions in the spring of 1834, a bill providing for a state bond issue of \$6 million, \$4 million of which would be provided to shore up New York City banks and the remainder to be made available to private individuals in

⁴¹ John Ashworth, *Agrarians and Aristocrats: Party Political Ideology in the United States 1837 to 1846*, London 1983, p. 52.

upstate New York.⁴² “THE STATE OF NEW YORK MORTGAGED TO THE BANKS FOR \$6,000,000!” trumpeted New York Whigs.⁴³ In the State Assembly, William H. Seward used the bill to attempt to recapture the initiative. Seward’s speech summarised the Whig Party’s economic philosophy to the public in a form which sought to counter Democratic implications of elitism. Striking at the Democratic argument that the BUS was unconstitutional, he responded that so “sensible were the founders of the general government..., that congress, immediately after the adoption of the Constitution..., established a Bank of the United States.”⁴⁴ Seward decried the “pressure” placed upon the economy by Democratic attacks on the Bank of the United States, arguing that, “although the pressure fell first upon the merchants, it has since visited every class of citizens, the mechanics, the manufacturers, the seamen, the car men, the laborers at the wharves and in the streets.”⁴⁵ Seward assigned the source of this suffering to a want of confidence in the paper currency for “when one individual doubts, it[s value] is impaired; when many are alarmed, it[s value] sinks.”⁴⁶ Democratic attacks on the BUS had destroyed this confidence, and this threatened American prosperity and development, the price of which was being paid by the common worker. Seward’s rhetoric identified the Whigs with a clear and simple policy, support for paper currency, and contrasted their support of the Bank with the alleged source of the problem, anti-BUS legislation, which was central to the identity of the Democratic Party. The Bank War highlighted the way in which the two parties used each other’s rhetoric and policy to define their own identities. Each of the two major parties sought to use their rhetoric to define not only what they supported, but to juxtapose those points in a favourable way against what they claimed their opponents supported.

Seward’s speech contains hallmarks of the broad rhetorical style and framing which became the standard for both parties. The BUS was not a threat to, but a servant of, the people and the

⁴² Michael F. Holt, *The Rise and Fall of the American Whig Party*, New York, Oxford 1999, p. 34.

⁴³ William H. Seward, *Speech of William H. Seward in the Senate against Gov. William H. Marcy’s Six Million Mortgage*, New York 1834, p. 3.

⁴⁴ *Ibid.* p. 8.

⁴⁵ *Ibid.* p. 5.

⁴⁶ *Ibid.* p. 9.

nation's future allowing, "farmers and mechanics [to] employ borrowed capital, or contract debts – and there are few of either class who can sustain themselves, during a season of depreciation of farms, produce and labor."⁴⁷ This depreciation had been caused by the tyrannical actions of the Democratic executive. In destroying the BUS, "the President assumed the legislative power in defining the offence and the penalty, the judicial power in convicting the bank, and Executive power conferred by no law in enforcing the punishment." This "vindictive" attack on the BUS was evidence of the true threat to American liberty, the usurpation and expansion of executive power. The Democratic Party orchestrated this, and the \$6,000,000 loan was the proof. "It is on the ground of the corrupting operation of this measure that I most strenuously protest against it", Seward declared, and warned that the dispensation of the loan would render the state banks hopeless creditors of the state treasury, doomed "to be subservient to and do the will of those who wield the power of the state." Thus would be established "a great monied power to be wielded by the public officers, in other words, by the dominant party... The inevitable consequence of which will be the corruption of the government, the banks and the people."⁴⁸ Seward's rhetoric hinges on appeal to the egalitarian impulses of contemporary New York society. Just as the Anti-Masonic fervour would not tolerate Masonic privilege, so the New York Whigs summoned the spectre of conspiratorial threat to egalitarian values to battle the Democrats during the Bank War. While both parties differed profoundly on how egalitarianism could be secured and maintained they identified the same threats to it ("monied power" was a common term in both parties rhetoric), and used the same rhetorical methods to make their arguments.

Both parties attempted to reshape and adapt American abstractions to legitimise and justify their policies. The BUS provided a locus for this process. For the Democratic Party, the "Bank War" was more than simply a reflection of General Jackson's personal frustrations. The issue of the Bank's re-chartering was an issue around which the disparate coalitions of state based factions that made up

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

national parties could rally. For the Democrats, the BUS was the anathema of the states' rights position that opposed federally funded internal improvements and centralised political power, positions at the core of their political philosophy. For the emerging Whig Party, whose political philosophy was closely wedded to Henry Clay's American System, the BUS was an institution so synonymous with their goals that it was impossible for them to abandon it. Instead Whigs attempted to develop an image of the U.S. as a land of boundless prosperity; thus New York Whigs presented the Bank as a tool which facilitated the betterment of the entire population, and not only a select few. In the maelstrom of New York politics these clear divisions, which did not need to be defined in terms of specific policy, were of great use in constructing voting coalitions. The rhetoric employed by both parties however, had deeper aims. They were attempts not simply to win the argument, but to define the terms in which the argument was understood by the electorate. Democrats sought to establish a principle in the minds of the public that the Bank was by constitutional definition a corrupt and threatening institution; Whigs sought to establish the principle that the form Democratic attacks upon the BUS took was evidence of their inherent corruption. Establishing a prevailing political narrative that defined egalitarianism in terms acceptable to the party was central to the rhetorical strategies of both Whigs and Democrats.

An example of Whig and Democratic efforts to develop a legitimised identity for their interpretation of egalitarian policy strategy was the affirmation of the importance of the image, if not the intentions and practical legacy, of the founding generation. A large part of this effort was constant reference to the Constitution. Nineteenth century American's conceptions of how the Constitution defended the principles and freedoms that defined their nation were being adapted to fit with developing concepts of the legitimacy of egalitarian democracy. Both Whigs and Democrats often cited the "constitutionality" of issues without regard to the strict legal accuracy of their assertions, and the notion of a "strict" or "loose" construction of the Constitution was repeatedly argued over as both parties attempted to confirm that their vision of American democracy was the vision of the Constitution. For politicians during this era the Constitution had an almost spiritual

element; although a law did not necessarily have to mean justice, constitutionality did have to reflect the true meaning of the American way of life, and could thus be argued over politically in this sense. This was an early indicator of the importance of conservatism to successful rhetoric. The Revolutionary Generation, having only very recently receded into the background of politics, continued to cast long shadows. They had been elevated to a point wherein they were almost beyond criticism; even Democratic attacks upon John Adams were tempered by respect. The wealth and success of the nation which followed the revolution meant that it was vital for both parties to cast themselves as “staying the course”; confirming this notion in the minds of the electorate and making it a central theme of their political identities was an important objective for both parties.

Central both parties’ efforts to develop their identities were the way in which their rhetoric portrayed their opposition. Typical rhetoric identified a social or economic problem, attributed it to a policy of the opposition party, and then contrasted that policy to the philosophy of the speaker’s party. A recurring theme of this kind of contrasting exercise was argument over opposing interpretations of the Constitution. By rhetorically disregarding developments and precedents in constitutional law, the Democratic Party made constitutional interpretation an issue which was contested by the two parties. It was thus able to link support for democracy to the Party’s interpretation of the Constitution, thereby manipulating popular conceptions of the Founding Fathers’ legacy, which they argued was enshrined in the Constitution, to bring them in line with Democratic policies. The Whig Party defended its interpretation of the Constitution by attacking the Democratic Party on the basis of (alleged) abuses of executive power committed by Andrew Jackson; the Maysville Turnpike veto, his disregard for the Supreme Court’s ruling on Indian removal in Georgia, and his repeated usurpations of power through such actions as the dismissal of Treasury Secretary Duane. In this way they linked their interpretation of the Constitution to a broad philosophic opposition to a threat to American liberties; executive tyranny. In 1835 a young cabinet maker seeking work in New York was informed by one business owner he had no work available for, “General Jackson has tied up the constitution too successfully for business to be what it ought to be

for a pretty considerable time.”⁴⁹ The business owner’s language suggests that Whig rhetoric was successful in some parts of the business community, particularly among employers as opposed to employees – the Whigs had provided an interpretation of the Constitution which this workshop owner found more appealing than the one offered by the Democrats. As the parties at this time were made up of coalitions of often disparate state based factions, the importance of this technique was that it allowed parties to develop a broad identity to which their members could lay claim whilst not restricting their rhetorical flexibility on local or faction based issues. These differences in constitutional philosophy helped the parties define themselves from one another whilst they adapted to the newly enfranchised electorate in similar ways. However as philosophy applied to policy and salient political issues became less vague, it became, in turn, less flexible.

Both Whig and Democratic rhetoric had a symbiotic relationship with the rhetoric of their opponents. Benson argued that the concept of the negative reference group, defined by Robert Merton as a “pattern of hostile relations between groups or collectivities [sic] in which the actions, attitudes and values of one are dependent upon the actions, attitudes and values of the other.”⁵⁰ This concept is useful for understanding the development of rhetorical strategy between Whigs and Democrats in New York. Democrats argued for a negative state based attitude toward religious practices and social reform; the state had no business in interfering with citizens religious or communal lives. Whigs supported the theory of positive government that took an active role in maintaining the welfare of the community, both moral and physical. These attitudes translated into economic attitudes and theories; support for, or opposition to, the BUS and the American System. Both parties tailored their rhetoric to appeal to specific social and economic interest groups, while maintaining a clearly egalitarian foundation for their ideology. However New York contended with an acceleration of demographic and social change after 1835. These changes forced both parties to diversify their rhetoric to appeal to an ever broader cross section of the electorate. At the same

⁴⁹ Sean Wilentz (ed, *Major Problems in the Early Republic 1787-1848*, Lexington 1992, p. 202.

⁵⁰ Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case*, New York 1964, p. 27.

time, they were confronted by the difficulty of achieving this without alienating the supporters they had already gained. The result was intra-party conflict and stress, a consistent problem throughout the 1840s.

Chapter 3

Between 1836 and 1840 the New York Whig and Democratic Parties became more ideologically polarised. The Depression of 1837 caused both parties to affirm broad economic principles that provided the basis for their answer to the crisis and their assertions that their opponents were to blame. The Democratic Party affirmed its dedication to negative state principles, while the Whig party developed an egalitarian ideology based on positive state principles. The way in which these ideas translated into practical policy created intense internal division within the Democratic Party.

The Depression struck in 1837, following several years of increasing economic pressure. Inflation beginning in 1833 had caused a rise in the price of fuel, food and rent, and that increased economic pressure on the state's working poor. This pressure increased dramatically at the end of 1836, when the Bank of England decreased the number and amounts of its loans at the same time as a sudden drop in the price of cotton. By May 9th runs on Manhattan's banks had drained them of \$652,000 in specie, causing all twenty three of Manhattan's banks to cease exchanging specie for banks notes on May 10th. State economic development ground to a halt, business after business collapsed; thousands of New Yorkers lost their employment.

For the Democratic Party, the Depression caused a shift of the Party's rhetoric to the more extreme negative state doctrine of the Party's anti-bank wing. Declaring that the economy's "present condition is chiefly to be attributed to over action in all the departments of business... stimulated to its destructive consequences by excessive issues of bank paper, and by other facilities for the acquisition and enlargement of credit", President Martin Van Buren moved steadily during the onset of the crash to adopt the principles espoused by William Leggett, editor and co-owner of the *New York Evening Post*.⁵¹ Leggett's editorials excoriated the Democratic Party for failing to live up to the egalitarian principles it espoused, and made the *Evening Post* the organ of the Locofoco

⁵¹ Martin Van Buren, *Message from the President of the United States, to the Two Houses of Congress, at the Commencement of the First Session, of the Twenty-fifth Congress, September 5, 1837*, Washington 1837, p. 4.

faction of the New York Democracy.⁵² The Democratic Party, he argued, had an unhealthy close relationship to the banking community. "What alone is needed," Leggett argued, "what is demanded by both the letter and spirit of our institutions, and by the fundamental principle of liberty, is freedom of trade, and a complete separation of bank and state."⁵³ Leggett's rhetoric applied the negative state principles that the Democrats had used during the Bank War to the in-state banking system. It presented the concepts of egalitarianism and negative state principles as being inseparable, creating tension between pro-state bank Democrats and those who would be labelled Locofocos.

The practical application of Locofoco negative state ideology was the Independent Treasury Bill, which removed federal deposits from state banks. This controversial measure was amended to include a provision which required the government to deal exclusively in specie. This policy, which stressed the hard-money Jacksonian bona-fides of the administration, caused a general shift of the ideological centre of Democratic Party rhetoric. The administration began to support the rhetoric of the Locofocos, echoing their hard money, anti-monopoly positions. The support of the Van Buren Administration was illustrated by the issuance of federal jobs and party leadership positions to men who would previously have been considered too radical for them, such as Leggett. This change in rhetoric alienated fiscal conservatives within the Democratic Party. By more clearly linking the Jacksonian concept of egalitarianism to negative state principles it caused division within the New York Democratic Party.

Pro-banking Democrats were alienated as the party mainstream moved to a more extreme negative state position. Senator Nathaniel Tallmadge was a prominent member of the pro-banking wing of the New York Democracy. Following the passage of the Independent Treasury Act his career involved numerous instances of close affiliation and cooperation with the state's Whig Party.

⁵² A full explanation on the emergence of the Locofoco faction can be found on p. 25.

⁵³ William Leggett, *Democratick Editorials: Essays in Jacksonian Political Economy*, n.d., <<http://www.econlib.org/library/Leggett/lgtDE6.html>> [accessed on 10 July 2016].

Tallmadge noted angrily that many who had viewed the anti-bank principles of the radical wing of the party as “destructive of the best interests of society, began to renounce former opinions, and adopt this radical creed, because they believed it met with approbation of those who held the reins of party discipline.”⁵⁴ Increasingly he and other Democrats who were friendly to banking interests found themselves unable to agree with or bring their rhetoric into line with the party mainstream. This caused increasing friction within the state party. The Democrats held the advantage in 1836 of having been in control of the state patronage for almost a decade. The party had numerous powerful public officials across the state, whose jobs were dependent upon their loyalty to the party and its success at the polls. Access to those prizes was endangered for conservatives by the shift in philosophy which Leggett and his adherents supported. The result was a division between old school Democrats who sought to retain influence within the party without further disruption of the status quo, and a new and aggressive faction determined to carry the egalitarian rhetoric of the Party through to its logical policy results (in terms which embraced negative state doctrine).

This struggle had broken out into the open in New York City with the emergence of the Locofoco faction in 1835. Tammany Hall had always portrayed itself as a democratic institution, but by 1835 many members of the Hall believed it was run by its more affluent members who had little interest in the practical application of the egalitarian attitudes they espoused. In 1835 these men, united on the issue of hard currency, resolved to challenge the bank friendly faction which dominated Tammany politics. Forewarned, when the Party convened on December 29th to nominate candidates for the 1836 election, the pro-bank faction drove through their ticket and then doused the lights of the hall, attempting to close the meeting. The rebels, however, were prepared with pockets full of the new Locofoco matches; they relit the lamps and established their own slate of candidates. The Locofocos became the popular name for reform Democrats in New York politics. Synthesising the

⁵⁴ Nathaniel Tallmadge, *Remarks of Mr. Tallmadge in Defence of the People of New York, against the Charge of Bank Influence*, Washington 1838, p. 8.

complaints of Locofocoism, Leggett became the principal exponent of Locofoco thought. He argued that

Governments have no right to interfere with the pursuits of individuals, as guaranteed [*sic*] by those general laws, by offering encouragements and granting privileges to any particular class of industry, or any select bodies of men, in as much as all classes of industry and all men are equally important to the general welfare, and equally entitled to protection.⁵⁵

This reasoning was the negative state doctrine which would define the Democratic Party's identity.

Liberty, Locofocos argued, was defined by equality of opportunity. This equality had been corrupted by, "The despotism of the Republican Party, with its aristocratic usages and organisation."⁵⁶

Tammany Hall suddenly found itself embattled in a struggle for the identity of the party. The Locofocos argued that the Democrats had failed to demonstrate that they were fully dedicated to the content of the rhetoric they used to win elections, and they successfully turned that rhetoric upon their opponents within the Party. This division further emphasised the major weakness of the identities which New York political parties were developing. Rhetoric designed to distinguish the speaker's party from their opponents' in a positive versus negative context resulted in identities that were increasingly defined by inflexible political principles. The development and application of these principles often left factions of the party disgruntled, or entirely out in the cold, pushing them toward cooperation with the opposition.

The popularity of the Locofocos' rhetoric resulted in increasing support from the Van Buren administration. The passage of the Independent Treasury Bill was a reflection of an important shift in Democratic political philosophy toward Locofoco principles of negative liberty. Van Buren's 1837 message to Congress affirmed the administration's support for negative state doctrine.

A system founded on private interest enterprise and competition without the aid of legislative grants or regulations by law would rapidly prosper ; it would be free from the

⁵⁵ William Leggett, *Democratick Editorials: Essays in Jacksonian Political Economy*, n.d., <<http://www.econlib.org/library/Leggett/lgtDE1.html>> [accessed on 9 June 2014].

⁵⁶Byrdsall, Fitzwilliam, *The History of the Loco-foco, Or Equal Rights Party: Its Movements, Conventions and Proceedings*, New York 1842, p. 16.

influence of political agitation, and extend the same exemption to trade itself ; and it would put an end to those complaints of neglect, partiality, injustice, and oppression, which are the unavoidable results of interference by the Government in the proper concerns of individuals.⁵⁷

This rhetoric stressed the negative state in relation to the preservation of popular American abstractions, particularly individual liberty. “A strong and active democratic *government*”, declared the Democratic Review, an influential Jacksonian periodical, in 1837, “is an evil, differing only in degree and mode of operation, and not in nature, from a strong despotism.”⁵⁸ This rhetoric linked a minimalist role and capacity of government to abstractions relating to the defence liberty from a despotic, over-powered central government. The Revolutionary generation, argued Democratic Assemblyman William B. Maclay, of New York County, had “looked with distrust upon measures which might have issued in the establishment of a central despotism.”⁵⁹ The key to Locofoco success with this rhetoric was that it reflected negative state theory. Restriction of government relations with the banking community worked well as a policy expression of this theory.

This shift in party philosophy left the Democrats in a difficult situation in New York. Pro-banking Democrats were appalled. The Independent Treasury scheme, declared Tallmadge, had been received by the public as “the dream of a visionary.”⁶⁰ The administration’s policy was the reason that “industry [is] paralyzed, the energies of the whole population frozen up, business of all kinds [is] at a stand, the wives and children of some of... [the people are] famishing for want of bread.”⁶¹ Tallmadge’s response to the Van Buren administration’s treasury plan revealed the intra-party stress created by negative state philosophy. He argued that the plan was one of, “utter impracticability

⁵⁷ *Ibid.*

⁵⁸ Joseph L. Blau (Ed.), *Social Theories of Jacksonian Democracy: Representative Writings of the Period 1825-1850*, Indianapolis/Cambridge 2003, p. 26. [From the “Introduction” to the *United States Magazine and Democratic Review*, I, No. 1 (October, 1837), pp 1-15]

⁵⁹ William B. Maclay, *Oration delivered at the Democratic Republican celebration of the sixty-third anniversary of the Independence of the United States, in the City of New York, Fourth July, 1839*, New York 1839, p. 11.

⁶⁰ Nathaniel Tallmadge, *Remarks of Mr. Tallmadge in Defence of the People of New York, against the Charge of Bank Influence*, Washington 1838, p 3.

⁶¹ *Ibid.* p. 5.

and inapplicability to the state of the times.”⁶² He denounced the Locofocos, arguing they had enforced their ideas of freedom of speech and free discussion by “violent inroads and forcible interruption of the assemblages of quiet, orderly citizens.”⁶³ His language reveals the discomfiture of pro-bank Democrats with this new result of the Democratic Party’s democratised rhetoric. While conservatives had been happy to preach the creed of egalitarianism in their effort to destroy the BUS, they were less eager to apply it to the state banks. The political philosophy of conservative Democrats at a state level held similar views to those of the Whigs, and conservatives began to express concern that they were being left behind as party rhetoric sought to polarise the two parties. Even more tellingly, it echoed criticisms of the Democratic Party typically levelled at it by the Whigs. Tallmadge’s language evokes the image of democracy gone too far – mob rule and violent political excitement. His accusations of radicalism reinforced the point that as the Democratic Party’s identity developed a more explicit anti-bank, anti-monopoly, anti-soft currency caste in the late 1830s it was placing strain on the unity of the party by alienating the conservative wing.

Tallmadge argued that the losses suffered by the Democrats in the 1837 state elections were caused by “the principles *understood* to be entertained by the administration... and the measures which they were pursuing to carry out those principles.”⁶⁴ [italics in original text] Tallmadge’s repudiation of the shift of the Democratic Party toward a negative state philosophy was a result of its rendering it impossible for him to continue to relate his rhetoric, principally pro-banking, to his party’s legislative programs and aims. Increasingly he and other conservative Democratic politicians would cooperate with New York Whigs’ legislative efforts; Tallmadge was eventually elected to serve in the U.S. Senate as a Whig in 1839. Those bank-friendly Democrats who remained with the party, such as Edwin Croswell, editor of the *Albany Argus*, Daniel Dickinson, William C. Bouck and Henry Foster, found themselves increasingly opposed to the economic policy of their (as they saw it) more

⁶²*Ibid.* p. 4.

⁶³*Ibid.* p. 7.

⁶⁴*Ibid.* p. 6.

radical colleagues. They accused the Locofocos of being radical and dangerous, of presenting a threat to American prosperity, and as hostile to the established liberties of New Yorkers. The rhetoric they used to defend themselves used the same tactics which they had previously employed; it threatened the unity of the party by presenting the opposing factions as not simply wrong on the issues, but as a threat to American liberty and prosperity. This problem illustrated an increasingly problematic weakness of the rhetorical strategies of the major parties. When confronted by a divisive issue, factions within the party began to employ the same rhetoric they used to fight opponents outside the party. Part of this process was defining the attitudes and philosophy of those opponents as incompatible with the identity of the party. As such pro-banking Democrats began to feel increasingly as though they had been divorced from the mainstream Democratic Party, and would increasingly cooperate with the Whigs to obstruct the policies of what they considered the radical wing of the Party.

Locofoco rhetoric was successful because it tapped into key themes which had been worked into the Democratic Party's identity during the administration of Andrew Jackson. At a time when the Democratic administration was becoming unpopular owing to economic disruption, reaffirming these themes was of vital importance. In *Andrew Jackson: Symbol for an Age* John William Ward argued that Jacksonian virtues can be understood as the combination of nature, providence and will – nature being natural sense rather than extensive education and training, will being the strength of personality and ambition to succeed, and providence being the blessing of God upon American enterprise.⁶⁵ These themes have a natural affinity with the rhetoric of negative state philosophy. There is no need for education if a man can develop natural common sense; no need for social reform if each man ought to be free to exercise his own will as he sees fit; no need for a positive intervention by the state in the affairs of men if providence guides the actions of each individual in it. State intervention, of any kind, rigged the game unfairly in favour of a privileged few. Lawrence Frederick Kohl noted that the standard form of Jacksonian rhetoric was accusatory, and that the

⁶⁵ John William Ward, *Andrew Jackson: Symbol for an Age*, New York 1962, p. 207, 210.

Jacksonian “looked out on a world organized to thwart his ambitions.”⁶⁶ Thus shifting rhetorical targets from the BUS to state banking issues reaffirmed Jacksonian negative state theories as mainstream Democratic thought.

The Depression and the shift it caused in Democratic political philosophy allowed Whigs to redefine their political philosophy into a form which contrasted that of the Democratic Party. Whigs preached a philosophy of positive, conservative government, communicating this to the electorate through rhetoric that hinged on a concrete legislative record and reference to liberty, particularly defence of democracy through opposition to executive tyranny. Whigs argued that the Depression had been caused by the Democratic Party’s reckless destruction of the BUS and the Party’s incompetent economic policy. The Democrats “reckless and... indefensible” measures were at the “foundation of all our subsequent commercial, financial, and general calamities”, declared the *Whig Almanac* in 1838.⁶⁷ Whig rhetoric sought to recast the terms in which New Yorkers understood the appropriate sphere and scope of legislative action. It promoted the argument that government had a responsibility to act to protect the general well-being of its citizens; a positive theory of government which stressed that liberty could only be fostered and protected by an active and engaged legislature. It was this positive theory of government which allowed the Whigs to stress that the Whig Party had an abiding interest in the welfare and prosperity of all sections of society, not just the wealthy.

Governor Seward’s annual speech to the New York Assembly in 1839 demonstrated the transformation that he and similar politicians were effecting in Whig rhetoric. Lamenting that, “angry passions... [had] availed themselves of disastrous... [times] to subvert public confidence in some of our institutions”, he expressed relief that efforts to “disseminate pernicious opinions, and to bring forward measures of rash and intemperate legislation, have subsided under a prevalent

⁶⁶ Kohl, Lawrence Frederick, *The Politics of Individualism: Parties and American Character in the Jacksonian Era*, New York 1989, p. 21.

⁶⁷ Whig Party (N.Y.), *The Whig Almanac and Politician’s Register for 1838*, New York 1838, p. 3.

conviction that it is wiser to preserve than to destroy.”⁶⁸ Seward attacked corruption in the Erie Canal board, describing it as a, “great, mysterious, undefined power” which had, “thus grown up unobserved” and called for reform to end “compensation of the superintendants and collectors... being left to the pleasure or caprice of the canal commissioners.”⁶⁹ Seward’s rhetoric combined conservative impulses; preservation, continuity, respect for established law and order, with an attack on a Democratic corruption. The reforms he suggested, limiting the term of office of canal commissioners and making their appointment subject to a popular vote, are reminiscent of those championed by the Democratic Party during the late 1820s and early 1830s. This rhetoric was combined with a challenge to a “great” and “mysterious” power, providing a threat to the practice of democratic institutions against which the Whigs were defending the people of New York.

Celebrating the Whig gains in the New York legislature in 1838, Seward declared, “The zeal and patriotism manifested in our elections, prove that vigilance, the guardian of liberty is yet unsleeping; ... vindication of right principles, has given renewed confirmation of the excellence of republican institutions.”⁷⁰ This kind of rhetoric tied the identity and ideology of the party to the defence of popular liberties that motivated American voters; equality, liberty and opportunity. At the same time, it presented these ideas as conservative ideals. Seward’s rhetoric argued that it was new, dangerous ideas which had caused disruption in the economic life of the state. His language called for conservatism and preservation, not change; calm support as opposed to angry, radical overhaul. In the face of the Democratic schism which had tarred that party with radicalism, if only temporarily, the success of this rhetoric for the Whigs showed the importance of maintaining a conservative party identity.

John Ashworth claims in *Agrarians and Aristocrats* that mainstream Whigs were “repelled by the levelling offensive of the Jacksonians and suspicious of the claims that were now being made for the

⁶⁸ George E. Baker, (ed), *The Works of William H. Seward Vol. II*, New York 1853, p. 183-184.

⁶⁹ *Ibid.* p. 186 -187.

⁷⁰ *Ibid.* p. 184.

new democratic form of government.”⁷¹ But this misinterprets Whig attitudes. Rather, Whig rhetoric began to convey an intensely egalitarian message that stressed the positive role the state had to play in fostering that egalitarianism. Whig rhetoric communicated the economic principles upon which the Party was founded in populist terms. An example of this was the New York Whigs’ use of the issue of the small denomination currency issue during 1836 and ‘37. In 1835 the Democratic Legislature had passed a law prohibiting the issuance of small denomination bills (\$5 or smaller) by New York banks. Designed as a measure in support of a “hard money” currency, this law became intensely unpopular when the Depression struck and specie became increasingly difficult to acquire following the suspension of specie payments. Whigs took up repeal of the 1835 small bills law as a flagship issue in the state elections of 1838. In a speech given at Auburn, Seward’s rhetoric focussed on similar themes to those that had been staples of Democratic oratory over the previous decade, in particular the right of the electorate to see popular opinion regulate the actions of the legislature. As public opinion regarding the Democratic administration of the state was soured by the Depression, Seward turned that rhetoric upon the Democrats.

Accustomed as the people have been to hear from the organs and representatives of the administration, while it was in the majority, language of unqualified respect and unconditional submission to the popular will, they looked without distrust to the legislature for repeal of the obnoxious law. Nor could they believe that honorable men could so far forget their respect to constituency, or reluctant public servants so much undervalue the intelligence of the people, as to seek to evade the popular will, fully and unequivocally expressed.⁷²

Seward pointed out the 1837 legislature, dominated by Whigs, had answered this demand.

However the State Senate, controlled by the Democrats, amended the bill. Through the bill’s “mutilation and transformation” the Democracy had disappointed the “intense and righteous expectation of the people”, declared Seward.⁷³ By effectively arguing that the Democrats had courted public opinion whilst taking legislative action which flagrantly ignored it, Seward

⁷¹ John Ashworth, *Agrarians and Aristocrats: Party Political Ideology in the United States, 1837-1846*, London 1983, p. 2.

⁷², George E. Baker (ed), *The Works of William H. Seward Vol. III*, New York 1853 p. 357.

⁷³*Ibid.* p. 359-60.

undermined the Democracy's efforts to develop its identity as The People's party, whilst simultaneously allowing Whigs to challenge it for that mantle. The focus on the issue of small denomination bills is an example of the way Whigs had begun to reshape their rhetorical strategy. While remaining dedicated to the economic principles upon which the party had been founded, Whigs in New York had begun to communicate them to the electorate in ways that were designed to appeal to the mass of the electorate – issues, such as lack of specie and declining economic opportunity, which voters confronted in their day to day lives, as opposed to abstract large scale economic designs.

Between 1836 and 1840, both Whig and Democratic rhetorical methods evolved. For the Whigs this was chiefly in regard to how they legitimised their politics. Recognising that the Democrats had successfully portrayed them as the party of privilege and wealth, they attempted to reform their rhetoric to convey the ideas of the party as being in response to expressions of popular will. They emulated the Democrats' glorification of majorities and the "genius" of the people, embracing the new interpretation of legislators as bearing a responsibility to the desires of their constituents. For the Democrats, the aftermath of the Bank War and the onset of the Depression forced them to confront the direction in which party rhetoric was taking them. Both Democrats and Whigs supported internal improvements for the state. By 1840, both had accepted the notion of corporations, and Democrats did not seek to roll back, or even permanently halt internal improvement projects such as the Erie Canal. As such, both parties sought out issues which allowed them to differentiate themselves from their opponents. For Democrats this process became divisive, alienating members of the party whose economic attitudes were not completely divorced from those of the Whig Party.

Through their respective responses to the crash, the Whig and Democratic Parties redefined their ideologies in more polarized terms. The parties used rhetoric which stressed their fundamental philosophic difference from their opponents, whilst at the same time continuing to relate their ideas

to the same abstract concepts which were at the centre of contemporary American political thought. However the process of seeking out issues through which to polarise the identity of the party from its opposition led to inflexibility in party rhetoric which exacerbated internal division. The small denomination bill issue provides an example of this. Whigs attacked Democratic resistance to the issuance of small denomination bills at a time when that party was suffering internal conflict between its pro-banking wing and the emerging Locofocos, who were intractably dedicated to hard money principles. Locofocos linked these principles to their efforts to defend the Party from “despicable politicians, who, in their regard for expediency, think they have the right to compromise principles.”⁷⁴ Locofocos were dedicated to what they regarded as the true principles of Jacksonianism; “free trade, anti-monopoly, hard money men” and were increasingly successful in their efforts to gain control of the state party.⁷⁵ As such the party was left open to attacks on the basis of hard money credentials which not all of its members held. In addition, it broke down the Democrats’ ability to negotiate on the issue, both with the Whigs and with themselves, as Locofocos could not abandon one of the central pillars of their economic principles. Whigs had a similar problem with the issue of a national bank. Unpopular with the electorate, and yet central to Whig economic theory, one way in which the Whigs benefited from Democratic victory in the Bank War was that it removed this issue from public discourse. The rhetoric of 1836 to 1840 revealed one of the key weaknesses of the rhetorical strategies of the New York parties of the Second Party Era; when confronted with issues that divided party opinion, parties often dissolved into acrimonious intra-party conflict. Conflicts were settled by a continuous re-assertion of the party identity in increasingly fixed terms upon the issue, usually to the severe detriment of one or another faction. As more and more problems confronted the parties, this increasingly reduced the overall flexibility of the parties’ rhetorical identities.

⁷⁴ Fitzwilliam Byrdsall, *The History of the Loco-foco, Or Equal Rights Party: Its Movements, Conventions and Proceedings*, New York 1842, p. 15.

⁷⁵ *Ibid.* p. 16.

An important part of this phenomenon was the way that both parties used rhetoric to establish the terms of the debates in which they were engaged. Both parties used language which portrayed the party's intentions as being reflections of popular consensus, and their opponents as being engaged in undermining and manipulating the public faith. They regularly asserted that they were attempting to present the public with reality, while their opponents attempted to deceive them. Thus Seward entitled his speech on Democratic obstruction of the repeal of prohibition of small denomination bills "The True Issue." Both parties also framed debate in a way which supported the argument that they were defending conservative American values from the radicalism of their opponents – Whigs would quickly begin to refer to all Democrats as Locofocos, hoping to capitalise on the radical reputation of that faction. Locofocos in turn would routinely declare their loyalty to the Jeffersonian ideals upon which the Democratic Party had been founded. Both parties predicated their arguments on attempting to preserve the republican virtue and ideals of the revolutionary generation – to preserve and continue what their illustrious fathers had established. This rhetorical strategy was employed regardless of how radical the reality of legislation proposed actually was, and served as a way of legitimising the policy agendas of both parties. The crucial element that differentiates the two is their respective dedication to positive and negative state theory. It was these opposing philosophies which allowed New York Whigs and Democrats to differentiate themselves from each other, while still promoting the same goals – a society of social, legal and economic opportunity based on egalitarianism.

Chapter 4

By 1840 the New York Whig and Democratic Parties had developed identifiable rhetorical strategies. This process had been particularly concerned with developing distinctions between the two parties. The problem this posed to the Whigs and Democrats was that they had a great deal in common. Both supported democratic government and institutions. Both were supportive of the development of economic and financial institutions. Both promised the same things to the electorate – equality of opportunity, the development of democratic government. Both favoured the expansion of internal improvements in the state, albeit via different means and at different rates. In order to clearly differentiate themselves from one another, both parties developed rhetorical strategies that presented opposing identities to the public. The party's ideology was cast as a defence of American liberty. The opposition's identity was presented as based upon principles and philosophies subversive and dangerous to democratic government and processes. This method had an intrinsic weakness which the final five years of the 1830s revealed in the Democratic Party. It became increasingly apparent that while rhetoric which differentiated between the parties by casting opposition as un-democratic was effective in inter-party conflict, it was found to be equally effective in intra-party conflict. The election of 1840 served as an example of how this kind of rhetoric could cause severe intra-party schisms.

The election of 1840 was the first time that the Whig Party unified behind a single candidate, General William Henry Harrison. The importance of the candidate to Whig election rhetoric was made clear during the nomination process at the Whig convention at Harrisburg, Pennsylvania in 1839. Harrison was opposed for the nomination by Henry Clay and General Winfield Scott. A letter in which General Scott had expressed opinions of an excessively anti-slavery stance led to his exclusion. Thurlow Weed meanwhile was determined that Henry Clay should not receive the nomination. Weed was Seward's principal political adviser, and was determined to prevent Clay's nomination as he believed that the Whigs required a candidate with a less chequered past. Weed

wanted to use the kind of rhetorical methods that the Democrats had employed since 1828, but that rhetoric could not accommodate Clay as a candidate. The selection of William Henry Harrison, a military veteran was far more preferable. Harrison's candidacy allowed to Whigs to avoid discussion of policy in favour of rhetoric which allowed the party to recast its image and increase its support among the electorate.

The development of Harrison's credentials as the archetypal virtuous American began at the nominating convention. In the convention address, Harrison was depicted "engaged on his farm, which is his daily employment, and necessarily followed to obtain his daily bread", an unpretentious man whom could not be distinguished, "by appearance of his dress, from any of his brother farmers."⁷⁶ While his eleven year military career was covered extensively, only a tiny amount of attention was given to his legislative record. A brief allusion referred to an act he had persuaded Congress to pass requiring public lands to be sold in small tracts, which provided a sop to Clay supporters and, the convention averred, allowed "every poor man in the nation, if industrious, ... [to] become an independent free holder."⁷⁷ This was a foretaste of Whig campaign rhetoric which redefined the party as the promoter of opportunity for Americans seeking to improve their social and economic status. The Convention defined Harrison's Whig credentials by stressing his conservatism, dedication to the legacy of the Revolutionary generation and the Whig principle of opposition to executive tyranny, explaining that,

he has always been a Democratic Republican of the school of Washington, Jefferson and Madison; he detests the agrarian, infidel principles which are gaining power and influence at the present day... resists the doctrine that *the spoils belong to the victors*, and that an executive officer of government may assume the responsibility of construing the constitution and laws of the country for selfish or party purposes.⁷⁸

⁷⁶ Whig National Convention, *Proceeding of the Democratic Whig National Convention, which assembled at Harrisburg, Pennsylvania, on the Fourth of December, 1839, for the Purpose of Nominating Candidates for President and Vice-President of the United States*, Harrisburg 1839, p. 35.

⁷⁷ *Ibid*, p. 39-40.

⁷⁸ *Ibid*, p. 35.

Very little was done to define Harrison's actual policy intentions. This was a key element of Whig rhetoric in the 1840 presidential campaign. Whig rhetoric did not focus on Harrison as a politician; it focused on Harrison as an example of the image of the Whig American that the party sought to develop. It clearly defined this identity, and then presented it to the public. It was an effort to define what it meant to be a Whig in terms which were attractive to the greatest possible number of people.

The Whig Party employed Harrison in the same way the Democratic Party had employed Jackson in 1828. Whigs elbowed campaign rhetoric into every possible part of life. In New York a book of stories and anecdotes for children about Harrison was printed by J. P. Giffing, who published a number of pieces of Harrison campaign literature, with the recommendation it be read to children. The volume declared Harrison a, "*republican* hero – plain, unostentatious, and benevolent... a *patriot* whose delight has been to serve his country."⁷⁹ Whig rhetoric contrasted Harrison's career with that of Van Buren, undermining the President's ability to tap into the legacy of Jackson's image. Whigs claimed that while Van Buren lived in opulence Harrison had forsaken, "the scenes of his youth, and the pleasures of society, ... [to] go forth into our western wilds – [and] amid toils, privations and sufferings, raised himself to honour and influence by his own personal efforts."⁸⁰ Whig rhetoric redeveloped the Party's image by casting Harrison as the ideal American, "humane and generous, as well as brave... a REPUBLICAN in principle and practice" [capitals in original text]; they offered Harrison as the archetypal Whig, espousing the broadest principles of Whiggery; "the power of the executive has increased to a fearful extent, and ought to be diminished", "he is in favor of such judicious tariff regulations as shall provide for the actual wants of the government, and protect the national industry", he "holds that passports to office should not be the services rendered to party,

⁷⁹ Capt. Miller (Psued.), "*Hero of Tippecanoe;*" or the Story of the Life of William Henry Harrison. Related by Captain Miller to his Boys, New York 1840, p. 5.

⁸⁰*Ibid*, p. 6.

but to the country.”⁸¹ Whigs used Harrison rhetoric to recast the identity of the party. Harrison was presented as a frontiersman, warrior, patriot, humble farmer, generous Christian, industrious labourer, and devoid of the aristocratic airs his supporters claimed were adopted by Democratic office holders. Through avoiding discussion of policy and focussing on presenting a candidate whose personal and professional history reflected popular conceptions of the “ideal American”, Whigs threw off the image of elitism and dedication to the interests of the wealthy cultivated by the Democrats over the 1830s. By doing so they legitimised Whiggery as a democratic ideology.

Whigs echoed the tactics of the Democratic 1828 campaign of developing an image of their candidate based on popular conceptions of the ideal American. Whig rhetoric also adopted the offensive element of this strategy, re-defining their opponents identity as one that was not just unappealing, but hostile to the electorate. Van Buren was relentlessly attacked as an aristocratic, untrustworthy despot, grossly out of touch with the electorate. Whig papers around the country re-printed the speech of Congressman Charles Ogle of Pennsylvania, entitled *On the Regal Splendour of the Presidential Palace*. Van Buren, charged Ogle, lived in “*a PALACE as splendid as that of the Caesars, and as richly adorned as the proudest Asiatic mansion.*”⁸² [Italics and capitals in the original] He had corrupted, “the plain, unostentatious, and republican manners of our people, by creating vain desires for external show and for foolish displays of splendour [*sic*]”; as a result Washington was now infested with Democratic office holders vying “with each other to make a splendid appearance, even above their rank and means of support.”⁸³ In comparing the decadence of the president to the struggles of working men Ogle truly hit his stride. His speech included lists of grand and opulent furniture, landscaping works, decorations and fine food and drink, and was capped with a searing indictment of the President for his immoral expenditure at the expense of poor Americans. “The

⁸¹ An Old Democrat (Pseud), *The Contrast: Or, Plain Reasons William Henry Harrison Should be Elected President of the United States, and why Martin Van Buren Should not be Re-Elected*, New York 1840, p. 2, 3 & 6.

⁸² Charles Ogle, *The Splendour of the President's Palace; Delivered in the House of Representatives, April 14th, 1840*, Washington 1840, p. 1.

⁸³*Ibid.* p. 20.

poor laborer with his fifty cents a day, has not only to provide his own coffee pot and pewter spoons, but he is compelled to purchase a coffee pot for the President, and pay for the spoons used by the President's servants", stormed Ogle.⁸⁴ These accusations had little substance; Van Buren, the son of a tavern keeper, was hardly the pampered aristocrat that Whig rhetoric portrayed him as, and Harrison, a former general, congressman, senator and governor was hardly a homespun man of the people. The real point of these attacks was to change the popular identity of the Whig Party to one which was more competitive in the political environment of the Second Party Era. By attacking Van Buren in the same way as the Democrats had attacked John Quincy Adams, the Whig Party recast itself as the defender of American liberties from a corrupt and aristocratic executive.

Whig rhetoric portrayed republican virtue as being synonymous with labour, and developed an image of a virtuous republican poor, forced into hardship by the corruption and incompetence of uncaring, aristocratic democratic office holders. Whig campaign rhetoric tied the Party's identity to promises of prosperity, economic stability and opportunity. Harrison's act requiring the surveying and sale of public land in small tracts was argued to principally "benefit... the industrious poor."⁸⁵ Assertions of Harrison's benevolence to the poor were contrasted with the Van Buren administration's failure to relieve the suffering of working Americans during the depression. Harrison would, "take care of the *poor* as well as the *rich*."⁸⁶ "I am like yourself, George, poor, and have to labour for my living, after long toil and hard work in the service of my country" explained Harrison to a poor former soldier in one of the anecdotes presented in "*Hero of Tippecanoe;*" or the *Story of the Life of William Henry Harrison*, as he handed his former comrade "the only coat I have, except the threadbare one on my back."⁸⁷ Whigs had embraced the change in the relationship between representatives and constituents, and presented their candidates as men of the people.

⁸⁴*Ibid*, p. 25.

⁸⁵ Whig National Convention, *Proceeding of the Democratic Whig National Convention, which assembled at Harrisburg, Pennsylvania, on the Fourth of December, 1839, for the Purpose of Nominating Candidates for President and Vice-President of the United States*, Harrisburg 1839, p. 40.

⁸⁶ Capt. Miller (Pseud.), "*Hero of Tippecanoe;*" or the *Story of the Life of William Henry Harrison*. Related by Captain Miller to his Boys, New York 1840, p. 114.

⁸⁷*Ibid*, p. 101.

Whigs seized upon the jibe of a Democratic newspaper which had claimed Harrison was better off sitting on the porch of his log cabin and drinking hard cider than running for office at his age. The Whigs exploited this blunder; the log cabin became the first political campaign symbol. A campaign newspaper entitled *The Log Cabin* was established with Horace Greeley, who later founded the *New-York Tribune*, one of the most influential papers of the era. Greeley went on to play a major part in Whig and Republican politics, and he achieved national circulation with the *Log Cabin*. The use of the log cabin and hard cider symbols, the emphasis on Harrison's supposed poverty and the contrast developed with Van Buren's supposed decadence, were all part of a rhetorical strategy to redefine the Whig Party's political identity in terms that stressed popular American values, and presented their aims as measures in defence of American liberties.

Whigs used the country's ongoing depression to reaffirm the positive state doctrine which had become central to the Party's identity. Whig rhetoric condemned the refusal of the Van Buren to intervene in economic affairs to relieve the suffering of New Yorkers who had lost jobs, businesses and income during the Depression. It appealed directly to working New Yorkers, promising "the Farmer fair prices for the products of his farm ; the same to the Mechanic for his work ; and to the Laboring Man, CONSTANT EMPLOYMENT, REASONABLE WAGES, AND PROMPT PAY" [capitals in original text].⁸⁸ This was a departure from Whig rhetoric of the early 1830s, which tended to stress broad economic principles based on grand designs of development. By focussing on what they claimed would be the results of their philosophy, as opposed to specific policy agendas, Whigs made their economic theories more appealing to New Yorkers who were frustrated by the lack of support they had received from the government during the Depression.

Democratic rhetoric in the 1840 presidential campaign was shaped by difficulties arising from internal divisions within the party. The emergence of the Locofocos was an education for the Democrats in how destructive to party success the rhetorical strategies they used against their

⁸⁸*Ibid.* p. 3.

opponents could be when used in intra-party conflict.⁸⁹ The Locofoco insurgency was made effective by the use of rhetoric that openly challenged their opponents for control of the party identity. In 1836 the Locofocos issued a “Declaration of Rights” at a meeting held at Utica. This declaration disclaimed “any intention or design of instituting any new party, but declare ourselves the original Democratic party, our whole object being political reformation by reviving the landmarks and principles of Democracy.”⁹⁰ The Locofocos language sought to establish that they were the legitimate representatives of the true principles of the Democratic Party. They therefore had the right to claim the loyalty of all Democratic supporters. Their rhetoric aimed to hijack the party identity. They were successful because they conveyed their principles in terms that were difficult for their opponents to challenge, by framing them in the same terms as challenges to Adams Republicans and the Whig Party; as a defence of egalitarian principles and the legacy of the Revolutionary generation

Having thrown down the gauntlet before the pro-banking wing of the party, the Locofocos went on to define clearly what they considered the “principles of Democracy.”⁹¹ This started with an assertion of the equal rights of all citizens, but quickly translated that simple statement into a philosophy which introduced precepts supportive of Locofoco policy aims. The correct use of legislation was to “declare and enforce only our natural rights and duties... no man has a natural right to commit aggression on the equal rights of another; and this is all from which the law ought to restrain him.”⁹² The Locofocos denounced all “monopolies by legislation, because they are a

⁸⁹ Although commonly referred to as the Equal Rights Party, in the style of an independent party organisation, Equal-Righters were a faction of the New York Democracy, and never operated or attempted to operate as an independent party.

⁹⁰ Fitzwilliam Byrdsall, *The History of the Loco-foco, Or Equal Rights Party: Its Movements, Conventions and Proceedings*, New York 1842, p. 39.

⁹¹ Note – I have referred to the opposition to the Locofocos within the Democratic Party as the “pro-banking wing.” This has the unfortunate implication that Locofocos opposed banking in all its forms, which they did not. The “pro-banking” wing supported a continuance of the status quo in terms of the state government’s relationship with banking institutions. I have not used the more traditional “conservative” epithet, as I believe that all politicians in this era essentially maintained that their principles were conservative, in that they were in keeping with the aims of the Revolutionary generation (or rather, claimed they were).

⁹² *Ibid.* Reference to nature is a recurring theme in Jacksonian rhetoric during this period. For a more complete exploration of the relevance of prevailing themes in Jacksonian rhetoric see John William Ward’s

violation of the equal rights of The People”, and declared their hostility “to the dangerous and unconstitutional creation of vested rights by legislation, because they are a usurpation of the people's sovereign rights.”⁹³ Locofocos were particularly interested in expanding the rights of individuals to become involved in banking. The movement of the federal deposits to the state banks had created a huge expansion in opportunities for credit, and this in turn created a demand for more banks. This demand in turn created spectacular corruption in the legislature, as members began to involve themselves in speculation and investment. But many men were barred access to these opportunities. The Locofocos desired an end to restrictions on the issuance of banking and business charters. They framed these demands in terms which implied that these practices were undemocratic, and by doing so they used their rhetoric to effectively challenge the pro-banking wing of the Party. This challenge provides evidence of the potential for well-designed rhetoric to change public perceptions of the identity of political parties in this period. The administration’s support of measures which were favourable to the Locofocos, such as the Independent Treasury Act, show that this in turn had an impact on the policy aims of the party.

Pro-banking Democrats refused to go quietly into the night, and the ensuing struggle highlighted major weaknesses in prevalent rhetorical strategies of the Second Party Era in New York. In the months before the 1840 presidential election the division within the party became increasingly apparent and destructive to the interests of the state party as a whole. In 1838, led by former party stalwarts such as Nathaniel Tallmadge, pro-banking Democrats met in convention and endorsed Seward for Governor. In a speech given in the U.S. Senate Tallmadge asserted that pro-banking Democrats maintained “the same principles which the whole party maintained but a short time since.”⁹⁴ Tallmadge’s rhetoric employs methods which, like that of the Locofocos, had previously been reserved for the party’s opponents and revealed fault lines that had been developing

Andrew Jackson – Symbol For an Age, particularly pages. 13 – 101. Particularly of note are pages 77-78 which expose the weakness of the use of nature to justify Democratic political theories.

⁹³ *Ibid.* p. 39-40.

⁹⁴ Nathaniel Tallmadge, *Remarks of Mr. Tallmadge in Defence of the People of New York, against the Charge of Bank Influence*, Washington 1838, p 13.

throughout the previous decade. Speaking out against the passage of the Independent Treasury Act, Tallmadge cursed the measure as a “despotism which had been introduced by the discipline of the party” and which constituted an unfair attack on freedom of speech.⁹⁵ Tallmadge attacked the act as an example of excessive executive power, a form of attack most often used by the Whigs. “The Executive department has become too powerful for the Legislative branch” which he argued was a sign that, “the very theory of the constitution has been reversed.”⁹⁶ Tallmadge also invoked the revolutionary generation, declaring that “the Executive arm... is strengthened beyond what the fathers of the constitution deemed consistent with the safety and freedom of the Government.”⁹⁷ The rhetorical conflict between the Loco-foco and pro-banking factions of the New York Democratic Party was the result of rhetoric designed to create stark contrasts between political groups bearing distinct similarities. Van Buren’s administration sided with the Loco-focos principally because it was difficult for him not to do so and appear to remain consistent with the principles of Jacksonian Democracy which had been established in his predecessor’s tenure in office. The rhetorical methods employed by parties at the time, branding opponents despotic, dangerous, tyrannical, engaged in attempts to subvert the constitution and likely to undermine the fabric of society, meant that true reconciliation became difficult, if not impossible. The result of these divisions, combining with the fury of the electorate over the ongoing economic crisis, was unmitigated disaster for the Democratic Party at the polls in the state elections of 1838. Seward was elected by a majority of 10, 421, and the Whigs gained control of five of the eight senate seats that were contested, and nearly two-thirds of the seats in the assembly.⁹⁸

Democrats knew that in order to win the 1840 election they had to present a unified identity at the ballot box, and their effort illustrated the weaknesses inherent to their rhetorical methods. In order to present unity during the 1840 election national Democratic rhetoric attempted to shy away from divisive issues in favour of classic attacks on the Whig Party. Efforts to stress unity of principles

⁹⁵ *Ibid.* p. 12-13.

⁹⁶ *Ibid.* p. 13.

⁹⁷ *Ibid.*

⁹⁸ Alexander De Alva Stanwood, *A Political History of the State of New York Vol II.*, New York 1906, p. 29.

and purpose within the party were illustrated by the Democrat's 1840 platform. The platform consisted for the most part of staples of Democratic rhetoric from the previous decade but also attempted to put the issue of the sub-treasury scheme to rest. The platform asserted that the Party held that, "the constitution does not confer upon the general government the power to commence and carry on, a general system of internal improvements", that "justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion to the injury of another portion of our common country", and that "congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and above the laws and the will of the people."⁹⁹ Democratic principles were expressed in the vaguest possible terms, as "*honesty in politics*" [italics in original text], and the repudiation of "institutions and laws which give one man, or class of men, advantages over others."¹⁰⁰ In an attempt to encourage unity at the polls, Democratic spokesmen turned to attacks on their opponents. "There has not been a time... when our liberties were in greater danger", declared the *Albany Rough Hewer*, a Democratic Newspaper whose editor, Azariah C. Flagg, was a prominent member of the Albany Regency.¹⁰¹ "Corruption and fraud are undermining the public virtue, and seeking to use, for the destruction of liberty, laws and institutions which have been devised for her protection."¹⁰² The "anti-Democratic principles" of the Whigs, "assume that the mass of mankind have not, and can not have sufficient intelligence or virtue to participate in the management of public affairs."¹⁰³ However the absence of tangible policy strategies to oppose those of the Whigs highlighted that in order to employ their standard rhetorical strategies, the Democrats

⁹⁹ Gerhard Peters and John T. Woolley, 'Democratic Party Platform of 1840, May 6, 1840', *The American Presidency Project*, n.d. <<http://www.presidency.ucsb.edu/ws/?pid=29572>> [accessed 10 July 2016].

¹⁰⁰ Democratic Party (N.Y.), *Address to the Democratic Electors of the State of New York*, Washington 1840, p. 4, col ii.

¹⁰¹ *Ibid.* P. 4 col i.

¹⁰² *Ibid.* p. 4, col i.

¹⁰³ *Ibid.* P. 4 col ii.

were forced to forgo specifying what a Democratic government would mean in practical terms.¹⁰⁴

This was a symptom of the weakness in their rhetorical methods – in order to preserve unity, it was necessary to maintain vague positions on the issues during times of internal turmoil.

The rhetoric of the 1840 presidential campaign revealed various tendencies in the rhetoric of the New York Parties, particularly that it exacerbated intra-party conflict. William Henry Harrison's candidacy shows that party political identity was increasingly based upon development of rhetorical identities designed to make the party ideology synonymous with a popular identity of what it meant to be an American. The identities that parties sought to develop focussed on conservatism, dedication to democratic principles and the promotion of economic opportunity. Although both parties had distinctive policy strategies, they conveyed the impact of these strategies in the same way. Whigs argued that a positive philosophy of government was necessary to ensure public prosperity and an egalitarian society. Whigs believed government had a responsibility to take an active role in the economy to promote prosperity. Democrats believed that the role of government was to ensure that the liberties of individuals were not infringed upon by the actions of others. They argued legislation ought to remove impediments to democratic and economic participation, thereby ensuring economic prosperity through equality of opportunity. However in the election of 1840, both parties set these arguments aside. Whigs did so in favour of the promotion of a campaign that sought to develop their party identity as a party of the people, presenting Harrison as the archetypal American, hard-working, patriotic, poor but aspiring to economic and social mobility and dedicated to assisting his fellow Americans. Democrats relied on broad assertions of democratic and egalitarian principles and attacks on their opponents as elitist and dedicated to the interest of the wealthiest sections of the population. The vagueness of this rhetoric was a result of increasing intra-party division on both sides. Whigs suffered from division over the leadership of the party. Democrats, much more severely beset, suffered from division over the practical implications of the

¹⁰⁴ The subject of the simplification of electioneering language is worthy of more examination than there is room for here. For a more comprehensive treatment of this subject please refer to Andrew Robertson's *The Language of Democracy: Political Rhetoric in the United States and Britain, 1790-1900* (Ithaca & London 1995), particularly pages 82-83.

party's rhetoric. These divisions were caused by rhetoric which was used to label the policies of one party or another anti-democratic. Owing to the similarities between the parties, this led to schisms when a section of the party found its principles and policies attacked in similar terms to the opposition's, in the case of the pro-banking faction of the Democratic Party.

Chapter 5

During the 1840s the intense economic and demographic changes that New York State experienced between 1825 and 1860 continued. Rapid population growth and urbanisation fuelled by rising immigration created social problems and tension. In 1820 New York State's population was 1,372,812, and it increased at a rate of approximately 29% each decade between 1820 and 1860. Arising birth rate was augmented by huge increases in the number of immigrants entering the state. By 1854 that number had risen to 327,000.¹⁰⁵ New York City had a population of 348,943 in 1840, and a population of more than 1,000,000 by 1860, by which time nearly one in every four New Yorkers lived in New York City.¹⁰⁶ Between 1820 and 1840, New York had the highest rate of urbanisation in the country. Utica grew by 330%, Rochester by 1244%, and Buffalo by 769%.¹⁰⁷ This explosive urban growth included immigrants, particularly Irish, who settled permanently in New York's major cities.

In addition to this rapid increase in population, the state changed dramatically in economic terms during the 1840s. This change was marked by the growth of manufacturing industry in New York. By 1840 the state had \$55 million invested in manufacturing, which produced an annual \$96 million in goods.¹⁰⁸ The growth of manufacturing industries caused a decline in the traditional ways that New Yorkers bought, sold and produced goods; between 1815 and 1855, household manufacture of textile goods declined from approximately 16.5 million yards to less than 1 million by 1855.¹⁰⁹ Manufacturing profoundly altered the working relationship between employers and employed. Eager to take advantage of larger markets created by transport development and population growth, craftsmen and entrepreneurs reduced costs and increased output by breaking down the process of production into a series of simple tasks, and hiring large numbers of unskilled workers to

¹⁰⁵ Milton M. Klein (ed), *The Empire State: A History of New York*, New York 2001, p. 311.

¹⁰⁶ *Ibid.* p. 309.

¹⁰⁷ *Ibid.* p. 310.

¹⁰⁸ *Ibid.* p. 318.

¹⁰⁹ *Ibid.* p. 317-318.

perform the majority of the labour.¹¹⁰ Although this system allowed for increased profits and lower prices, it dramatically changed the working lives of New York artisans, who found their skills devalued and their economic mobility reduced. In addition, the new system reduced the amount of time that employers spent in the company of their employees, reducing their moral authority and status within the community.

The political rhetoric used by New York politicians was heavily influenced by changes occurring within the state. Politicians sought to reassure New Yorkers that despite the dramatic changes occurring all around them, New York society and politics was still defined by the classic republican values upon which so much of their system of politics was based; liberty, equality and opportunity. In a state increasingly divided between those who were benefiting from these changes, and those who were not, this was increasingly a matter of reconciling these abstractions with the new society being created by changes in the economy and commercial system. Historians have argued that the Whig and Democratic Parties' supporters divided on the basis of whether or not they benefited from these changes. Lawrence Frederick Kohl argued that the Whig Party represented those who welcomed and benefited from the change, and Democrats those who opposed and were discomfited by change.¹¹¹ Marvin Meyers, despite claiming that by 1846 the two major parties had reached a consensus on most major issues, argued New Yorkers still divided "according to their Whig hopes and Democratic fears."¹¹² Lee Benson however criticised the established historiography and argued that this has created a framework for interpreting the rhetoric (and history) of the two parties that has compromised historical research.¹¹³ Benson has a point – the argument of John Ashworth that this was essentially a period of populist Democrats against elitist Whigs is untenable when

¹¹⁰ *Ibid.* p. 325.

¹¹¹ Lawrence Frederick Kohl, *The Politics of Individualism: Parties and American Character in the Jacksonian Era*, New York 1989, p. 229.

¹¹² Marvin Meyers, *The Jacksonian Persuasion: Politics and Belief*, Stanford 1957, p. 267.

¹¹³ Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case*, New York 1964, p. 330 & 331.

considering the shared egalitarian theme of both parties rhetoric.¹¹⁴ The key to understanding the two parties' differences is more clearly expressed by Daniel Walker Howe, who observes that Democrats and Whigs often differed on means rather than on ends.¹¹⁵

Whigs' policy recommendations fell in line with their major rhetorical themes. Whigs united on a policy of deficit spending between 1838 and 1840, first with a loan of \$4 million to complete enlargements of the Erie Canal, and then with a recommendation by Gov. William Seward to take a loan of a further \$12 million for construction of the Genesee Valley and Black River Canals. By 1841, popular opinion had turned against the Whigs. Seward decided not to run for re-election, having lost support because of his refusal to cooperate with Virginia in returning fugitive slaves believed to be in New York, and his proposals for special schools for immigrant children. But the crucial issue was Seward's failure to maintain the momentum of the Whig Party's internal improvements program in the face of the increasing strength of the anti-state funded improvement wing of the Democratic Party. Whig rhetoric relating to these issues presented a consistent theme of defensiveness, a by-product of their holding power and a general social attitude that governments should not slip into debt. It focussed on the benefits a programme of interconnected internal improvements offered the electorate, in conjunction with portraying Whig policies as the natural pursuits of a virtuous society. Seward explained that, "The Croton aqueduct is but one of many works of physical improvement constituting portions of an extensive system... tending to develop the resources and promote the honor and welfare of the country."¹¹⁶ Seward argued that, "an achievement like this... casts a mantle of protection over the commercial storehouse of the continent."¹¹⁷ A mantle provided by, "that mighty engine of modern civilisation, public credit."¹¹⁸ Seward's speech stressed the importance of conceptions of morality and honour in legitimising

¹¹⁴ John Ashworth, *'Agrarians' and 'Aristocrats': Party Ideology in the United States, 1837-1846*, London 1983, p. 7, 52, 269.

¹¹⁵ Howe, Daniel Walker, *The Political Culture of American Whigs*, Chicago 1979, p. 16.

¹¹⁶ George E. Baker (ed), *The Works of William H. Seward Vol. III*, New York 1853, p. 233.

¹¹⁷ *Ibid*, p. 231.

¹¹⁸ *Ibid*, p. 231.

legislative policy. He spoke at great length to discredit ongoing Democratic attempts to sharply reduce public spending.

These efforts reflected the schism which had developed within the New York Democratic Party. The pro-banking wing of the party represented by members of the Albany Regency such as Edwin Croswell, editor of the *Albany Argus*, Daniel Dickinson, William C. Bouck and Horatio Seymour, argued for a continuation of the improvements projects at a slower pace. This faction was challenged by anti-paper money, anti-bank Democratic politicians, led by Silas Wright and Arphaxed Loomis and Michael Hoffman of Herkimer County. These men sought the immediate cessation of state-funded improvements, retrenchment of state finances and the limitation of the legislature's ability to contract further debt. Although Loomis' "People's Resolutions" – a series of constitutional amendments requiring that laws authorising new state debts be submitted directly to the people for ratification – was defeated in the 1841 and 1842 legislatures, debt restriction would reappear in the movement for constitutional revision in 1846. Democratic division emphasised the importance of parties' dedication to foundational principles that they used to define party political identity and legitimise their politics, allowing them to unite effectively for state-wide and national elections, despite deep, intrinsic divisions within the state party.

Both parties developed identities through political rhetoric revolving around "principles", which politicians linked to the preservation of what may be broadly termed "republican virtue." "Republican virtue" relates to the concept of shared communal responsibility, of central importance to American conceptions of democracy and public morality. A consistent theme of rhetoric during this period was the responsibility of the public to be active participants in the political system, reflected by a high level of voter turnout, and an increase in the number of public offices filled by elected candidates. This theme of civic responsibility was complemented by the sense of communal moral responsibility created by the Second Great Awakening. Many Americans believed religion and politics were moral matters. Pastor Gardiner Spring of the New York Brick Presbyterian Church argued, "Is there not rather an obligation on the ministers of religion, if there are dangers that

threaten the commonwealth, to speak of them...?”¹¹⁹ Many ministers agreed, and the pervasive morality of political rhetoric and concepts encouraged many to speak at length of the dangers they believed threatened their congregations. Religious and moral elements of political rhetoric encouraged a powerful sense of communal responsibility. This was voluntary, but was presented to the public by both parties as necessary not just to protect their prosperity, but also their morality. Through their rhetoric both parties developed identities as conservative institutions, dedicated to the preservation of “republican virtue”, and contrasted their opponents as threats to it. This responsibility was emphasised by similarities between Whig and evangelical rhetoric, particularly in terms of the didactic nature of Whig rhetoric that is highlighted by Howe.¹²⁰

In the 1840s, as the state continued to suffer the effects of the Depression of 1837, political rhetoric became increasingly influenced by the growing divide between those who benefitted from the economic changes affecting the state, and those who did not. Whig rhetoric attempted to tie conceptions of republican virtue, manliness and the preservation of American abstractions, to the continuation of their programme of internal improvements. In a speech given at the celebration of the opening of the Croton Aqueduct, Seward argued, “unmanly despondency” threatened New York’s honour.¹²¹ What could be more degrading to the state than, “the dismembered work”, of the aqueduct, “lying in fragments throughout its length of forty miles from the Croton lake to the confines of the city?”¹²² Although he recognised that, “breaches of public faith have occurred, injurious to the national character, and dangerous to public morals”, he assured his audience that, “our state possesses resources and revenues, sure and unflinching, equal to the support of government and the payment of all her existing debts.”¹²³ Seward’s rhetoric addressed popular anxieties that state debt had created, particularly in relation to the notion of public character, and the communal

¹¹⁹ Gardiner Spring, *The Danger and Hope of the American People: A Discourse*, New York 1843, p. 3-4.

¹²⁰ Howe, Daniel Walker, *The Political Culture of American Whigs*, Chicago 1979, p. 33.

¹²¹ George E. Baker (ed), *The Works of William H. Seward Vol. III*, New York 1853, p. 234.

¹²² *Ibid.* p. 233.

¹²³ George E. Baker (ed), *The Works of William H. Seward Vol. III*, New York 1853, p. 233; *Ibid.* p. 234.

fear of the humiliation of inability to meet debt. These notions were related to a declining system of finance which was based upon personal relations and judgements of personal character. Seward's warning of the unmanliness of abandoning internal improvements developed the link between public virtue and legislative actions of government, presenting them in a positive light by associating them with conservative themes; honour, manliness, public morality, etc.

Democrats, on the other hand, warned of the dangers to morality presented by the new market economy and credit system that Whigs advocated using to fund internal improvements. Writing for a supplement of the New York *Diamond* in 1841, Gilbert Vale, a Jacksonian economist and political theorist, argued that, "we should hold no domestic economy good which should merely regard the accumulation of wealth at the expense of moral principles, health, or rational refinements of the family."¹²⁴ Democratic rhetoric attacked professions and business practices which were encouraged by the changes occurring in the economy, and offered the opportunity for rapid accumulation of wealth without recourse to traditional "manly" labour – that which was physical and productive. "While the speculator has been fretting his brief career in the traffic of unreal property", explained William G. Boggs, editor of the New York *Evening Post*, "the hardy fisherman has ploughed the broad and beautiful Pacific, and drawn from its fathomless abyss the monarch of the sea, and returned to *enrich* his beloved country."¹²⁵[Italics in original text]. The fisherman performed a physical labour – his industry was not an unnatural invention of the modernising market system, but was rather in manly, virtuous symbiosis with natural order. This kind of industry "WILL BE rewarded", argued Boggs, for, "This is a law of human condition, established by the Infinite Mind, and when it is trenched upon, be sure that some foul hand hath embarrassed the free action of the social machinery."¹²⁶ This kind of rhetoric fit comfortably with wider Democratic principles; rejection of

¹²⁴ Joseph L. Blau, *Social Theories of Jacksonian Democracy*, Indianapolis & Cambridge 2003, p. 203. [Article from the Supplement to *The Diamond* (New York), Series II, April to August, 1841. This was an enlarged and improved version of a series of articles published by Vale in the *Sunday Reporter*, "a small paper then but little known," as early as 1832 – Abridged.]

¹²⁵ *Ibid*, p. 14.

¹²⁶ William G. Boggs, *The Crisis Met. A Reply to Junius.*, New York 1840, p. 14.

centralised power and support of *laissez faire* social and economic theories. In addition to this, it lent these economic and social theories a clear moral value, which was contrasted with the moral vacuity of the world which Democrats claimed the Whig party wished to create.

The risk to the “character” or morality of the state is a recurring theme in political rhetoric during this period. Political rhetoric often addressed the issue of debt through morally themed rhetoric; “Credit depends not only upon means, but upon character”, observed prominent New York Whig Joseph Blunt, while the *Democratic Review* stated that, “the Empire State is inhabited by a majority of honest men, who are in favour of paying their debts.”¹²⁷ The concern over the state’s ability to meet debt was a facet of the conservatism of Whig and Democratic rhetoric. Debt payment carried a strong moral element – inability to meet debt was considered dishonourable. The major parties promoted themselves as holding conservative attitudes, and in the process engaged in a struggle either to define conservatism in new terms, or reassert it in the old ones, through dedication to certain “principles” of democracy. While Whigs presented their arguments as the continuation of a conservative program of development designed to preserve public virtue and ensure general opportunity, the Democrats presented themselves as defending New Yorkers from the corrupting influences of the Whig economic vision. In a speech made during the 1842 Tariff debates in the House of Representatives, Congressman Fernando Wood asked was, “the fostering care of... government to be exerted for their particular benefit, to the detriment of every other class[?]”¹²⁸ The measures the House was considering, he argued, were “iniquitos [*sic*], anti-democratic, and unequal.”¹²⁹ The manufacturers of his Manhattan district required “no protection but the reward of honest industry” – they had, “principles dearer to... [them] than pecuniary advantage.”¹³⁰ While neither party opposed economic development, they ascribed different risks to the honour of the state that were incumbent to that development. Whigs stressed the shame of failure to complete

¹²⁷ Joseph Blunt, *Speeches, Reviews, Reports, &c.*, New York 1843, p. 242; Democratic Party (N.Y.), *The People’s Democratic Guide*, Vol. I, New York 1842, p. 320.

¹²⁸ *Ibid.*

¹²⁹ *Ibid.* p. 152.

¹³⁰ *Ibid.*

projects already started, while Democrats warned of the dishonour of failure to meet debts contracted for that purpose.

The principles on which New York politicians based their rhetoric were tightly bound to popular abstractions and concepts that both parties used to legitimise their politics, and discredit that of their opponents. These abstract concepts were shared between the two parties. Discussing the concept of equal rights Seward averred that part of the “pure whig creed” was “equal, popular representative government.”¹³¹ Democrat William G. Boggs, editor of the *Evening Post* defined a good government as “one which knows no distinction between its citizens, but treats *all alike*, whether they be rich or poor, learned or unlearned.”¹³² [Italics in original text] Further to this, both parties portrayed themselves as being arrayed against the corrupting powers of aristocracy; “The aristocratic modern whig party, is the party which recognizes the right to grant exclusive privileges”, warned Boggs.¹³³ Meanwhile, Calvin Colton, the popular Whig political writer, warned of the Democrats that, “no party ever developed so distinctly the features of Aristocracy, or was ruled so entirely by Oligarchs.”¹³⁴ Both parties maintained a strong religious element to their rhetoric; Seward identified “the worship of God” as another part of the “pure whig creed.”¹³⁵ The *People’s Democratic Guide* asserted that all men were born free and equal, “before the state, before man, and before God”; this state could only be, “degraded by a violation of the laws of his nature and the requirements of his Maker.”¹³⁶ Finally both parties routinely identified threats to the public’s moral and financial security which related closely to their party identities, such as when Democrats

¹³¹ George E. Baker (ed), *The Works of William H. Seward Vol. III*, New York 1853, p. 242.

¹³² William G. Boggs, *The Crisis Met. A Reply to Junius.*, New York 1840, p. 1.

¹³³ *Ibid*, p. 2.

¹³⁴ Calvin Colton [Pseud. Junius], *The Junius Tracts*, New York 1844, p. 87. [note the page number given for the Junius Tracts is in relation to the publication of the full works, not specific tracts – thus although this specific reference relates to page 7 of Tract No. VI, the page number 87 relates to its page number in the Greeley & McElrath publication of the first 8 Tracts.]

Note – Calvin Colton was a minister and political commentator from western New York. He was an active correspondent of Henry Clay, and a prolific political theorist. While a little known historical character, his writings under the pseudonym Junius provide, and provided, a systematic description of Whig political philosophy.

¹³⁵ George E. Baker (ed), *The Works of William H. Seward Vol. III*, New York 1853, p. 242.

¹³⁶ Democratic Party (N.Y.), *The People’s Democratic Guide*, New York 1842, p. 308.

described “great Chartered Money Institutions... aristocratic, and dangerous in their tendencies.”¹³⁷

Both parties then, shared a similar conservative methodology. The rhetorical debate between them was a competition to define conservatism. The Whig Party found much of its support amongst those who were benefitting from the economic changes being experienced by the state.¹³⁸ Thus they held great strength in Western New York, where the Erie Canal had extensive mileage. This benefit was complimented by the popularity of the Protestant revivals occurring in those areas, particularly in the famous “Burnt-Over District.” The growing wealth of these areas created an expanding middle class. Primarily small business men, manufacturers and financiers, they were disturbed by their declining moral authority over their employees. They also struggled to reconcile their rapidly increasing wealth with traditional Protestant Christian ideals of the virtue of poverty; “it is easier for a camel to go through the eye of a needle, than for a rich man to enter the kingdom of God.” Thus Whigs were often explicit in the language they used to show their politics had religious endorsement. In 1839, Whig success in the state elections was described by Seward as, “manifestations of favour imperatively... [demanding] our gratitude to Almighty God.”¹³⁹ “Happy will it be for our country”, he opined, “and thrice happy for us, upon whom the responsibilities of legislation have fallen, if they shall inspire us with submissive obedience to his will, and a sense of constant dependence upon his protection and support.”¹⁴⁰ Explicit appeal to dissenting Protestants was effective in relation to the Whig’s wider political philosophy; approval of an active state, belief in the ability of man to beneficially reorganise society, and in conjunction with this, the party’s close relationship to reform movements. In addition, Whig religiosity helped to cast the party’s policies in a conservative aspect, and mollified party members’ fears regarding the morality of the changes

¹³⁷ William G. Boggs, *The Crisis Met. A Reply to Junius.*, New York 1840, p. 1.

¹³⁸ Lawrence Frederick Kohl in his work *The Politics of Individualism: Parties and the American Character in the Jacksonian Era*, (New York 1989) argued that Whig support came from those who believed that modernizing economic institutions would benefit them and Democrats vice versa - pages 65-66 (Whigs) and page 24 (Democrats). Daniel Walker Howe supports this interpretation in his work *The Political Culture of American Whigs* (Chicago 1979), identifying Whigs as supporters of economic development and “modernisation” - page 299.

¹³⁹ George E. Baker (ed), *The Works of William H. Seward Vol. II*, New York 1853, p. 184.

¹⁴⁰ *Ibid.*

occurring within the work place and society. Democratic rhetoric shifted to account for the support the party counted on from Catholic Americans and urban Americans whose status was declining as a result of the economic changes occurring within the state. This rhetoric tended to focus more on “laws of nature” rather than God, stressing the power of divinity, but at the same time reducing its relevance in the practical world. In doing so they typically also sought to portray their opponents as dangerous radicals or corrupters; Democrats accused the Whigs of seeking to develop an aristocracy of privileged wealthy elites and breaking down traditional American political secularism. The fundamental basis of the division between the two parties’ ideologies allowed them to develop party identities that whilst sharply differentiating them from their opponents, allowed them to embrace a very broad spectrum of political attitudes; essential for a party to be able to construct large coalitions of politicians within the environment of mass politics.

Dedication to a rhetorical framework founded on political abstractions such as liberty, equality, and republican virtue, created problems when debating matters of legislative expedience. The rhetoric through which both parties legitimised their ideologies and principles created enormous problems with regard to rationally debating the issues they addressed.¹⁴¹ Debate over tariff rates was heavily influenced by the ideological legacy of the Compromise Tariff of 1833, masterminded by Henry Clay and John C. Calhoun in an attempt to defuse the sectional tension created by the 1832 Nullification crisis. It provided for a successive reduction of tariff rates between 1832 and 1842, reducing them gradually until the majority of imports were taxed at a 20% rate. The Crisis had been a seminal event for the Jacksonian Democratic Party, causing the departure of large numbers of southerners into Southern states-rights parties. The Compromise bill ended intra-party turmoil – as such the bill held ideological significance to the Democratic Party. Noting that it was the position of many Southern Democrats that, “the compromise act must be faithfully adhered to”, Barnard observed that it would be impossible to raise even one half of the revenue required for government

¹⁴¹ Daniel D. Barnard, *Speech of Mr. Barnard of New York on the Policy of a Protective Tariff. Delivered in the House of Representatives U.S. July 6th 1842*, Washington 1842, p. 4.

with a 20% *ad valorem* tariff rate.¹⁴² “Unfounded, unjust, and impracticable claims are set up on the basis” of adherence to the compromise act complained Barnard.¹⁴³ Congressman Millard Fillmore of Buffalo expanded on the difficulties inherent in confronting practical legislative problems with rhetorical methods that stressed abstract principles. He observed sourly that,

I do think we sacrifice more to favorite theories than any other nation in the world... It is in [the collision] of interest and intellect that you are to find truth... not in the fine-spun theories of unpractised political economists, or of mere useless declaimers for popular effect upon this floor.¹⁴⁴

Wood’s speech on the tariff was an example of legislative expediency giving way before rhetorical demands. Wood’s speech was a parade of classic Democratic abstractions, covering the gamut of accusations of Whig corruption; “two-thirds of... [the] members... [of the Committee of Manufactures have] prejudged, ... [and represent] constituents loudly clamorous for protection... this is a committee for protection.”; opposition to monopoly and special privilege; “Special laws, granting exclusive privileges or encouragement to particular classes or professions, are unequal, and consequently unjust, and in violation of the genius of our institutions.”; Anglophobia; “I repudiate the policy of drawing upon English habits and English customs, whether social or political... The true interest of America is to sever all connexion with the worn out and rotten monarchies of Europe”, and defence of free trade,

The spirit of the age is tending towards free trade. The nations of Europe have recently become anxious inquirers into its political and social advantages. The general assimilation of custom’s regulation, the mutual dependence of an unfettered intercourse, the beautiful and harmonious working of a system beyond the control of ambition or avarice, would in time bind mankind in bonds of ‘amity, good will, and peace’ driving war and famine forever from the world.¹⁴⁵

¹⁴² Daniel D. Barnard, *Speech of Mr. Barnard of New York on the Policy of a Protective Tariff. Delivered in the House of Representatives U.S. July 6th 1842*, Washington 1842, p. 6.

¹⁴³ *Ibid.*

¹⁴⁴ Millard Fillmore, *Speech of Mr. Fillmore, of New York, on the Tariff Bill. Delivered in the Committee of the Whole, House of Representatives, June 9, 1842*, Washington 1842. P. 4.

¹⁴⁵ Democratic Party (N.Y.), *The People’s Democratic Guide*, New York 1842, p. 152 col i, 152 col ii, 154 col ii, 153 col ii, 155 col i.

Whigs were equally prone to vagueness. Fillmore established his support of a tariff partly on the basis of his opposition to excises which he claimed were “hostile to the genius of a free people”, and had a tendency to, “increase the patronage of the Executive.”¹⁴⁶ On the subject of free trade he explained that while he felt it impracticable, he believed that if “all restrictive systems were done away with, here and in every other country, and we could confidently rely on continued peace, that would be the most prosperous and happy state.”¹⁴⁷ He stated expressly that he was, “opposed to legislating for one part of the community at the expense of another”, and argued that it was “idle to think of benefiting any particular class by protection. This can only be done by giving a monopoly to a few individuals”, thereby obfuscating the link between protectionism and equal rights rhetoric.¹⁴⁸

In 1846 a movement led by Democratic Assemblymen Hoffman and Loomis demanded a constitutional convention. The convention movement wanted constitutional reform to restrict the ability of the state legislature to intervene in the state economy.¹⁴⁹ This faction, known as the Barnburners, supported by progressive Whigs seeking a relaxation of the voting restrictions placed upon African Americans in New York confronted the conservative wing of the Democratic Party, known as Hunkers, who opposed Constitutional reform.¹⁵⁰ Constitutional reform was popular. The question of whether or not to hold a convention was put to the electorate in referendum, who voted overwhelmingly in favour, 218,257 votes in the affirmative to 88,860 in the negative.¹⁵¹ In 1844 New

¹⁴⁶ Millard Fillmore, *Speech of Mr. Fillmore, of New York, on the Tariff Bill. Delivered in the Committee of the Whole, House of Representatives, June 9, 1842.*, Washington 1842, p. 11.

¹⁴⁷ *Ibid.* p. 14.

¹⁴⁸ *Ibid.* p. 15.

¹⁴⁹ Thomas P. Kettell (ed), *The United States Magazine, and Democratic Review Vol. XVIII*, New York 1846. p. 405.

¹⁵⁰ The names Hunker and Barnburner have been interpreted as having various meanings and sources by various historians. “Hunker” has been attributed to various sources by various historians. A prevailing argument is that this faction “hankered” after political office. However the argument that it actually derives from the Dutch word “honk”, meaning post, station or home makes somewhat more sense. In this interpretation it is more likely to have referred to the factions conservative nature. “Barnburners” is of unquestionable origin – it relates to a tale of a Dutch farmer who burned down his barn in order to rid himself of the rats which infested it. The term initially related to the factions opposition to state participation in economic affairs, in a “throwing the baby out with the bath water” sense.

¹⁵¹ Franklin B. Hough, *The New York Civil List, containing the Names and Origins of the Civil Divisions, and the Names and Dates of Election or Appointment of the Principal State and County Officers, from the Revolution to the Present Time*, Albany 1858, p. 58.

York State was engaged in myriad economic enterprises, such as subsidisation of agriculture, manufacturing and transportation development, direct investment in private business and the issuance of loans to farmers and businessmen.¹⁵² Although they differed on how these policies should be implemented, until then both Whigs and Democrats has embraced the notion of State participation in economic development (in varying forms and degrees). The 1846 Constitutional Convention, held at Albany, was dominated by the Barnburners, who successfully reformed the role of the state in the economy. The resulting constitution stipulated that only after the entire state debt had been paid through a sinking fund could the state appropriate any surplus for canal development or expansion that was not already mandated by law. In addition, corporations, including banks, were to be chartered under general laws and not by special act.¹⁵³ By severely restricting the state's ability to contract debt, the Convention removed economic issues as subjects around which to focus political rhetoric.¹⁵⁴

As politicians defined their position on certain policy issues in relation to the fundamental precepts of their party philosophy, debate over legislative measures often focussed on how the measure related to the Parties' established principles in either positive or negative terms. This presented the issue in terms which were designed to appeal to and expand the Party's supporters. For example, when quoting several Whigs who opposed the New York City Registry Law (stipulating all voters of any town or ward must be placed upon an official register at least 20 days before an election), the *Democratic Guide* describes them as "*Distinguished Modern Whig Editors turning Honest*" [Italics in original text]; these Whig editors (who were inherently dishonest, being Whigs) had improved their moral calibre by adopting the Democratic position.¹⁵⁵ This moral fault line

¹⁵² *Ibid.* p. 391.

¹⁵³ Arthur A. Ekrich Jr., 'Democracy and Laissez Faire: The New York State Constitution of 1846', *Journal of Libertarian Studies*, Vol. I, No. 4 1977, p. 322.

¹⁵⁴ Marvin Meyers in his work *The Jacksonian Persuasion: Politics and Belief* (Stanford 1957) argues that the 1846 convention and its results reflect the redundancy of economic issues owing to shifting Democratic and Whig attitudes, but also notes that division on what may be broadly termed social issues – particularly slavery, are still very divisive - pages 194-195.

¹⁵⁵ Democratic Party (N.Y.), *The People's Democratic Guide*, New York 1842 p 18.

divided politicians on a party basis, and was strengthened by the way in which individual politicians crafted their rhetoric to apply to the specific regions or groups to which they looked for support. Democratic Congressman Ely Moore of New York City, in reply to Whig Congressman Waddy Thompson of South Carolina's criticism of the labouring urban poor in the North, claimed his comments were an attack on "*the labouring classes, the back-bone of the democracy of this country*", that sought "to establish more distinctly and more permanently the landmarks which distinguish the two great political parties of this country – the *democracy* and the *aristocracy*."¹⁵⁶ [Italics in original text]. While the specific group or region to which a politician was appealing led to variations in rhetoric, or even policy decisions, their justification for their position always remained in line with the broader, fundamentally conservative party philosophy.¹⁵⁷

The development of a mass political system dominated by two parties led to both parties employing increasingly conservative rhetoric. Individual politicians' positions on specific policy issues; state debt, the role of the state in internal improvements, education etc. became increasingly if not defined, then legitimised by broad, party principles. Both parties developed identities as conservative institutions, dedicated to the preservation of "republican virtue", and contrasted their opponents as a threat to it. The political rhetoric used to convey these broad principles and threats to the public was heavily influenced by public anxiety over the great social changes occurring in New York at this time, which revolved around Victorian conceptions of declining manliness and virtue in the industrial age. Thus political rhetoric became increasingly morally charged. It became uncommon to attack one's opponent within the rhetorical framework created by dedication to broad party principles without attacking them on a moral level. Politicians who attempted to break ranks often found themselves adrift, denied the support of their party. Although this made inter-party dialogue difficult, as in the 1842 Tariff debates, and increased intra-party division in the case of

¹⁵⁶ Ibid. p. 151.

¹⁵⁷ This point relates to a similar one made by Howe and Benson, who note that Democrats and Whigs often agreed as to the ends but not the means of legislation. Howe, Daniel Walker, *The Political Culture of American Whigs*, Chicago 1979, p. 16., Benson, Lee, *The Concept of Jacksonian Democracy: New York as a Test Case*, New York 1964, p. 337.

the New York Democratic Party, it allowed for the construction of electoral majorities by diverse groups of politicians. The views of individual politicians within the party could, and often did, differ, but were justified through the same intellectual and ideological principles. This allowed politicians to frame rhetoric and policy arguments to appeal to constituents within a heterogeneous state population, however at the same time, remained consistent with the overarching conservative identity of the party.

By 1846 the Whig and Democratic Parties were using completely different rhetoric to that used in political discourse in the 1820s and early 1830s. This transformation had taken place over the course of the 1830s and had been galvanised by economic, demographic and social changes which took place within New York State during that period. A rapidly growing population combined with evolving forms of production and transportation, and a developing market economy to wreak radical changes on the form of New York society. Moving away from an agriculturally dominated economy and a political environment dominated by prominent, landed New York families such as the Clintons, New York expanded the suffrage and the number of elective offices, and struck down restrictions to participation in the state's rapidly expanding non-agricultural economy. The rhetoric of politics in New York evolved to reflect these changes and the impulses which drove them. Rhetoric became simplified, as politicians sought to make politics as accessible as possible in the new, democratised era of New York politics. Language used by politicians during this period increasingly sought to translate complex social and economic issues into black and white options from which the electorate could choose. At the same time, the expansion of the suffrage caused a proliferation of political factions. Representatives during this period increasingly came to represent their district, party and state in that order. As it became more and more difficult to maintain the disciplined party structure the prototype for which had been created by the Albany Regency in its struggle with the Clintonian faction in the 1820s, the rhetoric of New York politicians became their weapons in wars fought over the identity of the party as a whole.

The Whig Party's rhetoric had evolved dramatically during the 1830s. By 1844, Whigs had abandoned the rhetorical methods of the Adams generation. That rhetoric remained wedded to the deferential system of politics which had been prevalent during the revolutionary era. The Whigs had copied the methods which the Democratic Party had pioneered in 1828 and 1832. Their rhetoric effectively developed party unity by creating a political identity based upon attitudes that made it a distinct political entity to the Democratic Party, synonymous with popular methods of governance which many Americans desperately wanted to see enacted, particularly Henry Clay's American System. Their dogged defence of the BUS, whilst apparently ill-advised at the time, proved that the party was dedicated to a clear set of policies. More importantly however, Whig rhetoric established the party's legitimacy in the U.S. political spectrum. They had established themselves as a clear alternative to the Democrats not only on economic policy, but also political philosophy. This had been achieved through a consistent dedication to opposition to alleged executive tyranny, dedication to law and order which they claimed the Democracy was contemptuous of, and refutation of the Democratic Party's attempts to define them as a class based party. By depicting their policies as measures designed to promote equality, not simply in a legal and political sense, but also in an economic sense, the Whigs offered New Yorkers eager to continue the economic developments taking place in the state a legitimate Party to support at the polls.

The Democratic Party had not run the political gauntlet of the 1830s with such aplomb. From initial successes stemming from their spectacular rhetorical campaigns against critical institutions of Whig philosophy such as the BUS, New York Democrats increasingly found themselves turning those rhetorical methods upon one another. Divisions in the party stemmed from the great promises their rhetoric made during the late 1820s and early 1830s. The Democrats had attacked their pro-Adams, Anti-Masonic and later Whig opponents as aristocratic bodies which held democracy in contempt. Whilst this was highly effective in the late 1820s when challenging patrician opponents such as DeWitt Clinton and John Quincy Adams, the Party had failed by 1832 to clearly define what this rhetoric meant in terms of concrete policy strategy. As the policy decisions of the Jackson and later

Van Buren administrations increasingly alienated New York party members who supported the credit system, banking, and manufacturing, the Party was driven by its own rhetoric into repeated internecine conflict. Anti-Bank Democrats would turn their rhetoric upon the pro-bank wing of the Party, causing a sharp decline in the power of the Albany Regency and party unity in general, which would lead to increasing difficulty at the polls. It was this rhetorical contest that drove the successful demand for constitutional revision in 1846, the results of which would clearly define the Democratic Party identity in terms which were acceptable to the Locofocos.

Democratic and Whig rhetoric bore many similarities. Both revolved principally around economic issues. Both parties used many of the same rhetorical methods and key words. Opponents were labelled "aristocrats." The economic effectiveness of their policies was secondary to the moral degradation they would cause. Both parties presented themselves as the defenders of key American ideals such as liberty, equality of opportunity, religious conformity and freedom and social egalitarianism. However despite the similarities in the structure and language of their rhetoric the two parties had clearly defined themselves from one another by 1846. This had been achieved through founding their rhetoric upon totally opposed attitudes towards the role of government in society and the economy. The Democratic Party had rejected political theories that suggested that mankind could effectively shape its own society. Instead Democrats became wedded to theories that identified government itself as the greatest threat to the American abstractions they used to legitimise their rhetoric. This process was completed by the dominance of the Barnburner faction at the 1846 constitutional convention. There, they greatly curtailed the scope of the state government to participate in economic development, settling temporarily the division within the party. The Whig Party, in contrast, embraced new theories of the power of man to create model societies, not just in economic, but also in moral terms. Using rhetoric which stressed the inter-relation of all sections of the economy and society, inspired and augmented by the rhetoric and philosophy of the Second Great Awakening, Whigs sought to convince the public that mankind could be trusted to regulate, educate, and improve society's morals. Thus Whigs, in addition to supporting programmes of

extensive economic and industrial development with impressive uniformity, were closely linked with social movements such as temperance, prison and asylum reform, and projects to combat urban poverty. Following the Constitutional Convention of 1846, social issues took on increasing importance in relation to defining the identity of the New York Whig Party, as its scope for economic action was sharply reduced. This led to difficulty as slavery became the dominant issue in New York politics.

In rhetorical and philosophical terms, both parties had identified themselves by 1846 as conservative institutions. Labelling groups such as the Locofocos as radicals takes too much of the rhetoric of their opponents at face value. The relentless insistence of the Whigs that the Democrats were dangerous radicals, and that of the Democrats that the Whigs were corrupt patricians, serves to prove the conservative nature of both parties. Both were dedicated to what they perceived as conservative values inherited from the Revolutionary generation; the rhetoric of both parties was principally concerned with affirming that, and undermining the conservatism of their opponents. This is the key to understanding the reliance of both parties on incessant reference to the intentions of the Founding Fathers, despite the fact that by the 1840s, these intentions had been left far behind. Both the Whigs and the Democrats sought to assure the electorate that what they were attempting to achieve, or destroy, was entirely in keeping with the intentions of the Revolutionary generation. It was this desire to encourage a belief that the party was “staying the course” which inspired the use of rhetoric which insistently condemned the constitutional interpretations of their opponents and regularly warned of a decline in “republican virtue” or social morality. The perfect example of the necessity for conservative attitudes in politics is the collapse of the Workingmen’s Party between 1830 and 1831. Although the theft of the Workingmen’s policy initiatives by other parties was one source of their failure, the real issue was those parties’ success in painting the Workingmen’s Party as a radical organisation. The membership of men such as Thomas Skidmore, or Robert Dale Owen, or far more catastrophically, Fanny Wright, doomed the Workingmen. They

had abandoned the past – their more radical policies called for the abandonment of key conservative social and political theories.

The demand for wider suffrage, for more state officers, and eventually judges, to be appointed electively, and for greater ease of access to economic opportunity were communicated to the electorate as the natural repercussions of the Revolutionary Era. Politics in antebellum 19th century United States increasingly revolved around the interplay of many competing interests. It is this change which encourages the notion that these were radical parties, making radical changes to the political system. However the rhetoric of the period actually reflects the fact that it was crucial to the success of both major parties that these decisions appear conservative. However this was conservatism in republican terms. Central to understanding the conservatism of political rhetoric between 1828 and 1846 is the importance of the debate over means rather than ends. The distinction between Whig and Democratic rhetoric is that it stressed a contest between positive and negative roles for government. Both parties presented their theories as being the only way to ensure the preservation of American abstractions, particularly liberty. Thus while both parties agreed on the ends their rhetoric promoted, an egalitarian society that championed the rights and opportunities of the individual, they differed sharply on how this could be achieved.

Chapter 6

The Constitutional Convention of 1846 settled many of the major economic issues on which party political rhetoric had focussed in order to construct and define party identity. The struggle of the Democrats against alleged monopolistic privilege and the efforts of the Whigs to promote a harmonious society based on an interconnected system of credit and infrastructure, had provided debates through which both parties had established political identities. These identities were based upon political principles that were defined, to a great extent, through the parties' opposition to each other's policy strategies. The Whigs believed the state had a responsibility to play a positive, active role in the economy and society of the state. Democrats believed the state had a responsibility to avoid interfering with the interests and pursuits of the society of the state. But the removal of the power of the state to meaningfully contract debt had reduced the power of these issues to effectively divide the two parties.¹⁵⁸ In addition, the constant use of rhetoric which encouraged New York politicians to take positions on issues based upon partisan principles had created intense intra-party conflict. These conflicts left a legacy of bitterness and recrimination that intensified following 1846. Their rhetoric concerned state issues, eschewing national concerns. Increasingly the internal divisions of the New York state political parties were heavily influenced by national issues.

The most dominant issue was slavery. Slavery had never been writ large in New York's political rhetoric. The question of slavery had been settled in the opinion of the majority of New Yorkers in 1827, when the last slaves in New York were freed. Debate over slavery had been further subdued by the passage of the Pinckney Resolutions in 1836, written by South Carolina Representative Henry L. Pinckney, mandating the tabling of all petitions relating to slavery, which became known as the "gag rule."¹⁵⁹ But slavery began to play an increasingly large role in national competitions between

¹⁵⁸ See previous chapter for discussion of the reduction of the state's ability to contract debt as a result of the 1846 Constitutional Convention.

¹⁵⁹ Note - the term "gag rule" in the singular is actually a misnomer. Since the Pinckney Resolutions were not standing house rules, they had to be renewed each session. The meagre Anti-Slavery forces present in the house at this time, led by the venerable John Quincy Adams, used the period before the Resolution's renewal to provoke and engage in debate. The Pinckney Resolutions were renewed in January 1837; they were

the two parties following the end of the rule in 1844. This vote reflected growing anxiety over slavery in the North that was exacerbated by the Mexican War. New York politicians divided over slavery in ways that closely related to pre-existing intra-party divisions. Emerging from these divisions in 1848 was the Free Soil Party. This short lived third party changed the nature of political rhetoric in New York that had stressed partisan principles. Instead it focussed heavily on what its members shared, while simultaneously glorying in their differences. This new method, though buffeted by the efforts of the major parties to reassert the old methods of party distinction, would eventually triumph over old rhetorical strategies. Slavery was the issue which allowed politicians from both the Whig and Democratic Parties to unite under the banner of Free Soil and later Republicanism. The rhetoric they employed fundamentally altered the nature of political rhetoric in New York, and drew to a close the Second Party Era in that state.

Divisions in New York State over the issue of slavery emerged, before the ratification of its constitution. In 1784 a state manumission society was formed. In 1799 the state legislature passed a gradual emancipation law, but this was contested and it was not until 1827 that the last slaves were freed.¹⁶⁰ The New York State Colonisation Society (formed in 1816), was led by prominent New York merchants Arthur Tappan and Gerrit Smith, and reflected the views of many in the New York community regarding African Americans – many would rather have seen the African American community removed from the state altogether.¹⁶¹ However during the 1830s, the abolition movement emerged in a more determined and organised form. Inspired by the evangelical revivals sweeping across the state, and by the anti-slavery arguments presented by William Lloyd Garrison in *The Liberator*, an anti-slavery newspaper first published in 1831, abolition in New York developed

followed by the Patton Resolutions in December 1837 and the “Atherton Gag” in December 1838. In January 1840 the House passed the Twenty First Rule, prohibiting Congress from accepting petitions on the subject of slavery at all. The history of the debate over the right to petition is both fascinating and complex, and owing to this there is inadequate space here to cover it in full. For a complete examination of the subject, refer to William Lee Miller’s *Arguing About Slavery: John Quincy Adams and the Great Battle in the United States Congress* (1995).

¹⁶⁰ Milton M. Klein (ed), *The Empire State: A History of New York*, New York 2001, p. 247-248.

¹⁶¹ *Ibid.* p. 335.

into one of the most determined and controversial civil reform movements of the era.¹⁶² However the topic of slavery consistently remained unaddressed by mainstream political rhetoric. Slavery was considered simply too divisive an issue – neither Whigs nor Democrats risked the division it could create within their national party structures, reflected by the “Gag Rule.”

The New York City Anti-Slavery Society (NYCA-SS) played a large role in laying the foundation for standard New York Abolitionist rhetoric. NYCA-SS rhetoric, similarly to political rhetoric at the time, focussed on conceptions of public and republican virtue. The Society was formed in 1833 by Arthur Tappan. The Society’s introductory address to New York argued if the public were made aware of slavery, it would demand its immediate destruction; it was ignorance of the moral evil, and the threat to the republic that it presented, which caused public apathy. The NYCA-SS announced that, “We trust to the candor of our fellow-citizens, that this enlightened community will pronounce an upright judgment when they shall become fully acquainted with our views... We are quite sure that all virtuous citizens desire... [slavery’s] extinction.”¹⁶³ Those citizens who did not yet support abolition had been deceived by the influence of the institution. Thus abolitionists maintained that, “when the public mind shall be permitted to know the facts and shall be disabused of the impressions by which it has been imposed upon, it will call, ... for the adoption of measures right in themselves, congenial with our republican principles, and fraught with benefits to the whole people.” This rhetoric is similar to that used by the Democratic Party in fighting the BUS. Slavery was a corrupting influence that had deceived a section of the public into thinking of it as a benevolent element of U.S. society. All that was necessary was to pull back the curtain placed around it by a small number of corrupt individuals, and the public would naturally recoil from it. This argument formed one of the core principles of anti-slavery rhetoric in New York – that slavery was a moral evil which tainted the entire American Republic. It was related to the attitude promoted by the Evangelical revivals of the Great Awakening, that stressed that not only were individuals

¹⁶² *Ibid.*

¹⁶³ New York Anti-Slavery Society, *Address of the New-York City Anti-Slavery Society, to the People of the City of New-York*, New York 1833, p. 3-4.

responsible for their own salvation, but also for the salvation of those around them. Therefore abolition rhetoric closely resembled mainstream political rhetoric, as it stressed a collective responsibility for action on the part of the community.

The NYCA-SS represented a departure from the past. Abolition and manumission movements had argued for long term methods, such as gradual emancipation and systematic re-colonisation, to reduce slavery until it became extinct effectively of its own accord. The NYCA-SS however, rejected these arguments in favour of Garrison's radical approach, advocating immediate and unconditional emancipation. "Our object, as set forth in our Constitution, to which we refer you, is "to take all lawful, moral, and religious means, to effect a total and immediate abolition of slavery in the United States."¹⁶⁴ Immediate emancipation aggravated New Yorkers fears over racial conflict and changes in African-American status in a society which held deep racial prejudices. Thus the NYCA-SS presented its arguments as vital measures to preserve republican virtue.

We... speak of immediate abolition, to distinguish our proposals from all indirect attempts to destroy slavery, in our country. Our object being both lawful and honorable, our means honest, and our motives pure, we have no occasion to conceal them, by professing to aim at something else. We consider it criminal to amuse the country with any project, which will not attain an end so essential to the prosperity and very existence of our happy union. It is generally admitted, that the accursed system of slavery has already made the pillars of our government tremble, and it is demonstrable that nothing but its total removal can prevent the final overthrow and ruin of this republic.¹⁶⁵

Thus, again, Abolitionist rhetoric bore close resemblance to mainstream party and anti-bank rhetoric, in that it cast its intentions and principles as inherently conservative, aiming to defend, rather than change American institutions.

Another way in which abolitionist rhetoric asserted the conservatism of the movement's aims was repeated references to religion. The NYCA-SS argued forcefully that the institution of slavery was incongruous with the principles championed by Evangelical revivalism. It stressed itself as a religiously inspired movement.

¹⁶⁴ *Ibid.* p. 3.

¹⁶⁵ *Ibid.* p. 11.

It is one of our objects to inculcate the doctrine of Immediate Abolition as *an important moral sentiment*, as a duty we owe to our common Creator, to our fellow-men, and to ourselves, as republicans and Christians. We shall aim to show that this duty applies to individuals, to communities, to those who lead public opinion, to those who are conductors of the press, to preachers of the Gospel, to educators of youth, to parents, and to all descriptions of persons, as they love the human family, fear a just God, and hope for a blessed immortality.¹⁶⁶[Italics in original text].

Politicians of this period often invoked religious language to assert their moral rectitude; the New York abolitionist movement used religion in the same way to cast slavery as an immoral institution with no place in a Christian society.

The abolitionist movement was probably at least partly inspired by the popular political rhetoric of the time. Abolition was a small but articulate movement. In 1833 the Tappan brothers, joined by Garrison, Theodore Dwight Weld, a writer and reform organiser, and James G. Birney of Kentucky, a former Democratic-Republican who would go on to be the Liberty Party's nominee for President in 1840, founded the American Anti-Slavery Society (AA-SS), headquartered in New York. By 1834 there were more than 200 local societies across New York.¹⁶⁷ However although anti-slavery rhetoric appeared primed for adoption by political parties, the movement was shunned. The major reason for this was of the divisive effect of slavery debates on national party unity, and the staggering unpopularity of the abolition movement among the greater body of the electorate. In early July 1834 an eight day long riot broke out in New York City, targeting abolitionists. Angry crowds stormed notable abolitionist leaders Arthur and Lewis Tappan's store and house respectively, attacked abolitionist meeting halls and terrorised African American communities. The leaders of most of these mobs were not working class thugs, but "gentlemen of property and standing", a reflection of the threat to social status that many white New Yorkers believed the abolition movement represented.¹⁶⁸ This attitude was supported by ingrained social prejudices. Opposition to, and violence toward, abolitionism was often stoked and organised by wealthy social

¹⁶⁶ *Ibid.* p. 11.

¹⁶⁷ Milton M. Klein (ed), *The Empire State: A History of New York*, New York 2001, p. 335.

¹⁶⁸ Sean Wilentz, *The Rise of American Democracy: Jefferson to Lincoln*, New York & London 2005, p. 409.

conservatives from both major parties; as such it was considered a politically disadvantageous topic by both parties.¹⁶⁹

Hostility shaped several elements of abolitionist rhetoric. Abolitionists used hostility toward their movement to define ways in which slavery threatened democracy. A common tactic was to identify slavery as a threat to freedom of speech by highlighting the way in which anti-slavery conventions, spokesmen and society members were the victims of intimidation.

Anti-Abolitionists at the North say they believe in free discussion, in the abstract, and will not allow it to be drawn in question; but this means, as we find it interpreted and translated in the dictionary of daily experience that each man may discuss slavery, or any thing else in the silent chambers of his own heart, but must not discuss it in public as it may then provoke a syllogism of feathers, or a deduction of *tar*.¹⁷⁰ [Italics in original text]

Abolitionists combined this with a common theme of mainstream political rhetoric, the argument that their aims were being systematically misconstrued and misrepresented by their opponents.

the enemies of our noble sentiments and elevated intentions, have resorted to the old heathen track of misrepresentation, and by adding to our code views never promulgated by us, by charging us with intentions never harbored, with expectations never cherished, and as remote from the mind of an abolitionist, as infidelity is from the conscience of piety, as meanness is from generosity, as bigotry is from charity, as truth from falsehood, as freedom from slavery.¹⁷¹

The rhetoric of New York abolitionists was similar to rhetoric used by Democrats during the Bank War. By citing the attempts to harm and misrepresent them made by their opponents, abolitionists reaffirmed the legitimacy of their cause in ways that directly related to key American liberties, and democratic institutions. New York abolitionists used the hostility against them to further define their opposition to slavery in terms which stressed the movement's dedication to the sanctity of American democratic institutions, including freedom of speech.

Arguments emerged in abolitionist rhetoric in response to criticisms and fears created by the sectional division that many politicians argued the abolition movement would cause. The NYA-SS

¹⁶⁹ *Ibid.*

¹⁷⁰ New York Anti-Slavery Convention, *Proceedings of the New York Anti-Slavery Convention held at Utica, October 21, and New York Anti-Slavery State Society, held at Peterboro', October 22, 1835*, Utica 1835, p. 5-6.

¹⁷¹ *Ibid.*, p. 5.

responded to fears over the destabilising effect that anti-slavery rhetoric had upon national unity.

The Union, they scoffed,

was to have been dissolved in 1828, 1830, 1831, and 1832, at four distinct periods, within a short space of time, because the tariff laws were not made to suit certain slave states; but this noble Union held together, we did not hear of a single rafter or brace flinching. In 1835, the Union is to be again dissolved, and charged in account current to abolition.¹⁷²

This rhetoric keyed into popular Northern frustrations with the Southern state's repeated threats of disunion. The concept of the South as a hostile bloc was developed further in New York during Seward's governorship. In 1839 Seward received an official request from the Virginia legislature to hand over three African-American sailors who had assisted in the escape of a slave in Norfolk. Seward resisted such demands throughout his governorship. Finally, in 1842, the Virginia Legislature passed a law requiring all ships bound for New York to be inspected for fugitive slaves, to take effect in May of that year unless New York turned over the three fugitives and repealed its Fugitive Slave Law.¹⁷³ Seward's rhetoric on the issue is sparse; he avoided publicising his increasingly antagonistic exchanges with Virginia due to abolition's unpopularity.¹⁷⁴ However in 1842 Seward presented the conflict to the legislature in terms that did not stress slavery as an issue. Rather Seward argued that Virginia's actions constituted a case of unnecessary inter-state hostility. "I lay before you a law of Virginia, calculated to embarrass our commerce" declared Seward, going on to observe that,

New York, from motives of self-respect and devotion to the Union, will not retaliate, nor even remonstrate, yet that she can not consent to remain a respondent, since Virginia has seen fit to transcend the sphere assigned her by the federal constitution, and to pass an aggressive law; but that this state will cheerfully return to a discussion of the subject, with a sincere desire to arrive at a conclusion mutually satisfactory and conducive to the general harmony, whenever the effect of that unfortunate statute shall have been removed by the action of our sister-state, or by an overruling decision of the supreme court of the United States. The legislature will decide whether the trial by jury shall be relinquished, and whether a state, which acknowledges no natural inequality of men, and no political inequality which may not ultimately be removed, shall wrest that precious shield from those only, whose freedom is assailed, not for any wrong-doing of their own, but because the greatest of all crimes was committed against their ancestors.¹⁷⁵

¹⁷² *Ibid.* p. 7.

¹⁷³ That law offended the South by extending to fugitives the right to trial by jury and providing them with attorneys.

¹⁷⁴ Walter Stahr, *Seward: Lincoln's Indispensable Man*, New York 2012, p. 71.

¹⁷⁵ George E. Baker (ed), *The Works of William H. Seward Vol. II*, New York 1853, p. 299.

This statement was a rare piece of pre-1844 anti-slavery rhetoric from a major New York politician. Its identification of Virginia's inspection law as "aggressive" is a forerunner of what would become a common theme of anti-slavery rhetoric in the late 1840s and 1850s – the portrayal of the slave holding South as a belligerent political entity. The similarity of this rhetoric with that of the New York abolition movement, and the New York legislature's subsequent refusal to strike down its Fugitive Slave Law, shows that it was possible for the movement's rhetoric, if correctly adapted, to be effectively used by a major political party.

In one crucial respect, the abolition movement departed from the methods of political rhetoric being used by the major parties. While the Whigs and Democrats focussed on the Constitution to legitimise their policy aims, the abolition movement was unable to emulate this tactic because the Constitution, and its defence of property rights, was far better calculated to defend slavery than to attack it. Instead abolitionists turned to the Declaration of Independence. They tied moralistic religious assertions to the Declaration and formulated an entirely different interpretation of its relevance to American political institutions. A New York Anti-Slavery Society (NYA-SS) convention held at the city of Utica explained that "Our creed is to be found in the two great witnesses of God's revealed will to man, the old and new testaments. The Declaration of Independence, the Constitutions of our country, and the laws passed under them, we make the rule of our conduct, in imparting our sentiments to others, on the subject of slavery."¹⁷⁶ Through stressing the importance of the Declaration of Independence, New York abolitionists developed a new argument for the source of human rights. Individual rights, the NYA-SS argued, were not given to men by governments or laws. Men were not born into a state of bondage, and then liberated through acts of government. Rather, the natural state of all human beings was one of freedom, a God given right

¹⁷⁶ New York Anti-Slavery Convention, *Proceedings of the New York Anti-Slavery Convention held at Utica, October 21, and New York Anti-Slavery State Society, held at Peterboro', October 22, 1835*, Utica 1835, p. 4.

which was then either upheld or compromised by acts of human legislature. Gerrit Smith declared at the 1835 Peterboro' NYA-SS convention that,

I love the free and happy form of civil government under which I live: not because it confers new rights on me. My rights all spring from an infinitely nobler source—from the favor and grace of God. Our political and constitutional rights, so called, are but the natural and inherent rights, of man, asserted, carried out, and secured by modes of human contrivance. To no human charter am I indebted for my rights. They pertain to my original constitution: and I read them in that Book of books, which is the great Charter of man's rights. No, the constitutions of my nation and state create none of my rights. They do, at the most, but recognize what is not theirs to give.¹⁷⁷

This rhetoric provided an excellent alternative to that of the major parties, which hinged upon the rights conferred upon individual Americans by the Constitution. In an era of profound religious belief, when politicians routinely quoted scripture and invoked God to support their political principles, this argument provided abolitionists with a justification for their demands. It tied the rights which were established as inherent by the Declaration of Independence to the Will of Providence. This rhetoric is a clear forerunner of the kind employed by Seward in his 1853 “Higher Law” speech, and can be considered foundational to the rhetoric of the Free-Soil and Republican Parties.¹⁷⁸

Before 1840 rhetoric relating to slavery, when it did occur, was typically an assertion of the parties' unwillingness to discuss the issue, or an active denunciation of the abolition movement. In his 1836 message to the legislature, Democratic Governor William Marcy asserted that, “This State is a member of a community of Republics... bound together by political ties that must not be sundered. This relation gives us rights essential to our well-being, and imposes on us duties equally essential to the well-being of our sister States.”¹⁷⁹ The abolition movement had “caused much mischief in... [Southern] States, and have not been entirely harmless in their own.”¹⁸⁰ Marcy argued that a

¹⁷⁷ *Ibid.* p. 19.

¹⁷⁸ See James Oakes' *Freedom National: the Destruction of Slavery in the United States 1861-1865* (New York 2013) for an extensive examination of the natural freedoms arguments and their centrality to Republican political thought.

¹⁷⁹ New York Senate, *Journal of the Senate of the State of New York at their Fifty-Ninth Session, begun and Held at the Capitol, in the City of Albany, the Fifth Day of January, 1836*, Albany 1836, p. 26.

¹⁸⁰ *Ibid.* p. 27.

regard for the character of our State, for the public interest, for the preservation of peace among our citizens, as well as a due respect for the obligations created by our political institutions and relations, calls upon us to do what may be done, consistently with the great principles of civil liberty, to put an end to the evils which the abolitionists are bringing upon us and the whole country.¹⁸¹

Democratic spokesmen were reluctant to discuss slavery or abolition, fearing the alienation of the Southern Wing of the party. They grounded their rhetoric in principles of states' rights which Marcy illustrated in his message. However in the long term this would provide politicised abolition with a record of Democratic acceptance and support of slavery. In 1846 it was this rhetoric that pushed many Democrats into the Free Soil Party.

In the late 1830s, New York abolitionists became convinced that political agitation and action was the way to attack slavery. They identified measures which Congress ought to take against slavery which did not contravene the Constitution's bias toward slave holders on the grounds that slaves were a species of property. In 1838 Theodore Dwight Weld, a prominent New York Abolitionist and reformer, published a pamphlet entitled, *the Power of Congress over the District of Columbia*. In it he argued that as Congress had complete authority over the District of Columbia; it had the power to abolish the slave trade there, and the institution itself. Weld argued that as the District has no legislature of its own, and slavery was an institution which had to be established by acts of legislature - Congress therefore *ipso facto* held the power to establish or abolish that institution in any place where it existed that was solely under the authority of Congress. This argument had important ramifications for the status of slavery in the territories. The second is the way in which Weld framed his argument. Rather than the typical abolitionist rhetoric which principally concerned itself with the immorality of slavery and its incongruity with evangelical values, Weld's argument was principally framed around legal and political theory, using historical precedent to support his defence of Congress' legislative authority in the matter. Weld's arguments represent a shift

¹⁸¹ *Ibid.*

occurring in anti-slavery rhetoric toward a more practically political form.¹⁸² In 1840, anti-slavery forces organised under the banner of the Liberty Party. Although in the presidential elections of that year the Liberty Party received less than 1% of the national vote, in the 1844 campaign it received just over 15,000 votes in New York. These votes had provided the margin of victory in the state to the Democratic Party. By 1845, anti-slavery had become a noteworthy political position.

The Free-Soil Party emerged with a rhetorical strategy that harnessed anti-slavery feeling in the state and exploited the new, stronger position. In order to understand its effectiveness it is necessary to briefly consider persistent divisions within the New York Democratic and Whig Parties. Divisions within the New York Whig Party were exacerbated by the issue of nativism. In 1844 a secret fraternal organisation named the Order of United Americans was established in New York City. The Order was dedicated to nativist principles, and its most influential members were conservative Whigs.¹⁸³ Those conservatives, already disillusioned with Seward and his progressive faction for their hostility toward nativism, were becoming increasingly disturbed by Seward's increasingly explicit denunciations of slavery. In 1838 in a reply to a letter from Gerrit Smith and William Jay, a reformer and Jurist who had drafted the AAS-S's constitution, Seward observed that, "the convention which has designated me as the representative of the whig party in this state, in the approaching election, has done so without any reference to the subjects indicated in your inquiries, and that those subjects enter not at all into the political creed of that large body of freemen whose candidate I have become."¹⁸⁴ Seward asserted support for trial by jury for fugitive slaves, and that he was, "generally... opposed to every form of slaveholding in this state, not only by our own citizens, but by all other persons, and to any recognition of such a right in this state in every form except such as the constitution of the United States clearly establishes."¹⁸⁵ In 1845, Seward refused an invitation to a "Southern and Western Convention of the Friends of Constitutional Liberty" at Cincinnati, which

¹⁸² Theodore Dwight Weld, *The Power of Congress over the District of Columbia, Reprinted from the New-York Evening Post, with Additions by the Author*, New York 1838.

¹⁸³ Mark L. Berger, *The Revolution in the New York Party Systems 1840-1860*, New York & London 1973, p. 14.

¹⁸⁴ George E. Baker (ed), *The Works of William H. Seward Vol. III*, New York 1853, p. 426.

¹⁸⁵ *Ibid*, p. 430.

was organised by citizens aimed at using “every constitutional and honorable means to effect the extinction of slavery in their respective states, and its reduction to its constitutional limits in the United States.”¹⁸⁶ However he did claim to “have always sympathized with abolitionists too deeply to be one of those who hindered or embarrassed them.”¹⁸⁷ He strongly supported the abolition movement and argued the “large mass of citizens disfranchised on the ground of color... must be invested with the right of suffrage.”¹⁸⁸ This was a change from his position in 1838 that challenged the rhetoric of conservative New York Whigs. Francis Granger, a prominent conservative New York Whig, asserted when appointed Postmaster-General in 1840 that he was, “not only no abolitionist, but he should expect Gen. H[arrison] to eject him from office should he ever become one.”¹⁸⁹ Conservative Whigs generally opposed abolition throughout the 1840s.

The New York Democratic Party’s division reached a critical point in 1848, when the party sent two delegations to the National Convention at Baltimore, each angrily asserting its legitimacy as the true representatives of the New York Democracy. This division, already established by the opposition of the Hunkers to constitutional reform, had been exacerbated when that faction withheld its support for Governor Silas Wright’s re-election in 1846. Wright’s administration had been attacked by the Hunkers who opposed his every move.¹⁹⁰ But the key moment of separation came in 1846 when Congressman David Wilmot of Pennsylvania introduced the Wilmot Proviso. The Proviso was an amendment to President Polk’s appropriation bill for territorial acquisition for Mexico following the Mexican American War. It demanded that slavery be prohibited in all territories acquired from Mexico. The amendment was designed by several Northern Democratic congressmen, but its relevance to New York was reflected by the involvement of Congressman Preston King of that state. King went on to introduce a more extensive amendment prohibiting the introduction of slavery into any territory that acquired by the U.S. in the future. In a speech

¹⁸⁶ *Ibid.* p. 440.

¹⁸⁷ *Ibid.*

¹⁸⁸ *Ibid.* p. 442.

¹⁸⁹ Mass. Anti-Slavery Society, *Tenth Annual Report of the Board of Managers of the Mass. Anti-Slavery Society, presented Jan. 26, 1842*, Boston 1842 p. 27.

¹⁹⁰ Frederick J. Blue, *The Free Soilers: Third Party Politics 1848-54*, Chicago & London 1973, p. 28.

connected with these measures, King used rhetoric designed to shift the basis of discussion over slavery away from a general attack on the institution, and toward consideration of what role the Federal Government had in relation to it. “The time has come when this republic should declare by law that it will not be made an instrument to the extension of slavery on the continent of America” declared King.¹⁹¹ The arguments that King provided for prohibiting slavery laid the ground work for much of the Free-Soil Party’s rhetoric. In particular, King paid virtually no attention to humanitarian objections to slavery on behalf of blacks. His criticisms instead sought to establish slavery as being in competition with, and hostile toward, free labour. “Shall the territory, now free, under our jurisdiction, be free territory, open to settlement by the laboring man of the free -tales, or shall it be slave territory, given up to slave labor?” Asked King, going on to assert that, “The labor of the free white men and women, and of their children, cannot, and will not, eat and drink, and lie down, and rise up with the black labor of slaves—free whites will not be degraded by such association.”¹⁹² *Niles’ Weekly Register*, a prominent national publication, noted that it had been “asserted by some of the papers that the speech was substantially at least, prepared at Albany by the partizans of Governor Wright.”¹⁹³ The speech had a dual purpose. It established a rhetorical tactic which could be used to argue against slavery’s extension immune to the racist basis of criticisms of the abolition movement, but was also a method of striking against the Hunker faction in New York. The Hunkers supported the Polk administration’s effort to avoid antagonising the Southern Wing of the party. Wright’s support for King’s development of anti-extensionist rhetoric was a measure of striking back. But whatever his intentions on, they were rendered irrelevant when Wright died of a heart attack in 1847. His death changed the direction of the New York Democratic Party.

It had a profound impact on the development of Barnburner rhetoric. A masterful politician, self-sacrificing party man and spectacular orator, Wright had been one of those politicians of the 19th

¹⁹¹ *Niles’ National Register, from September, 1846, to March, 1847 – Volume LXXI – Or, Vol. XXI, Fifth Series*, Baltimore 1847, p. 316. (*Niles Register*, January 16, 1847).

¹⁹² *Ibid.*

¹⁹³ *Ibid.*

century who was loved by his followers with great emotion. Manoeuvring had begun in 1846 to make Wright the 1848 Democratic nominee by anti-extensionist Democrats, who considered him a martyr as a result of the 1846 election.¹⁹⁴ His death left New York Barnburners bereft of their favourite leader. Many became convinced that the stress of the election had caused Wright's heart attack. The state party convention held at Syracuse that year became the setting of a savage showdown. Hunkers blocked discussion of the Wilmot Proviso. Amidst the mutual recriminations that followed, an anti-extensionist pleaded with the delegates to remember Silas Wright, and to do him justice. A Hunker replied "It is too late: he is dead!" Democrat James Wadsworth spoke for the Barnburner faction when he replied that "Though it may be too late to do justice to Silas Wright, it is not too late to do justice to his assassins!"¹⁹⁵ Under the leadership of John Van Buren, son of the former President, the Barnburners organised an opposing state convention at Herkimer. The rhetoric they employed openly recognised divisions which had developed within the party. John Van Buren, in his address to the convention, specifically attacked the Syracuse convention. He began by reasserting the majoritarian philosophy of the radical wing of the New York Democratic Party, stating that, "The principle which lies at the basis, not only of the democratic faith but of representative republican government, is the faithful reflection by the representative of the will of the constituent"¹⁹⁶ a principle that had been, "shamefully violated in the late Syracuse Convention."¹⁹⁷ Candidates that were the "choice of a majority of the democratic party, were deprived of a nomination by this base betrayal of the popular will on the part of those who were delegated to express it" claimed Van Buren, and then accused the Hunkers of seating delegates, "against whom undeniable evidence of bribery and corruption was produced."¹⁹⁸ This rhetoric closely mirrors an article run by the *Albany Atlas* in 1846, which identified "conservative defection"

¹⁹⁴ Frederick J. Blue, *The Free Soilers: Third Party Politics 1848-54*, Chicago & London 1973, P. 29.

¹⁹⁵ *Ibid.* p. 30.

¹⁹⁶ Free Soil Party (N.Y.), 'Herkimer Convention, the Voice of New York!', *Albany Atlas Extra*, Nov. 1847, p. 3.

¹⁹⁷ *Ibid.*

¹⁹⁸ *Ibid.*

as the cause “of the defeat of the democracy at the late election.”¹⁹⁹ The divisions in that election, the *Atlas* argued, were a result of “having men in the party who were not of it.”²⁰⁰ In his Herkimer address Van Buren echoed this sentiment, claiming that “the principle contained in the foregoing resolutions, which the Syracuse Convention refused to adopt, is one which it is the duty of the New York democracy to avow and maintain.”²⁰¹ Van Buren’s speech also contained new elements. In particular, the actions of the South were openly identified as contradicting Jeffersonian Democratic principles, and the position of anti-extensionism was identified as one of those principles; “Resistance [*sic*] by force to the application of the Jeffersonian ordinance of 1787, which interdicted existing slavery, to other and free territories, has been intimated to be the general purpose of the South.”²⁰² The Syracuse convention provided evidence of a new rhetorical strategy that was emerging in response to slavery. Used initially by the Barnburners, this rhetoric established a politically viable language for the opposition of slavery, through focusing on opposition to slavery’s expansion. But the language that Barnburners used clearly set the issue in a context of internal state disputes between factions of the Democratic Party.

The Herkimer Convention resolved to send an opposing delegation to the 1848 Democratic National Convention in opposition to the delegation organised by Hunkers at the Syracuse Convention.²⁰³ The arrival of two separate delegations from New York concerned the national Party, recognising that the schism in the New York Democratic Party posed a severe threat to the Party’s presidential campaign. In an effort to mollify the Barnburner faction, the convention agreed to split New York’s votes between them and the Hunker faction. But when the Convention nominated Senator Lewis Cass of Michigan, the Barnburners walked out. Returning to New York, they organised under a new aegis – Free-Soil. The Free-Soil Party Convention, held at Buffalo, used rhetoric that

¹⁹⁹ ‘The Result of the N.Y. State Election; its Causes and Consequences’, *Albany Atlas Extra* – December 1846, p. 18.

²⁰⁰ *Ibid.*

²⁰¹ Free Soil Party (N.Y.), ‘Herkimer Convention, the Voice of New York!’, *Albany Atlas Extra*, Nov. 1847, p. 6.

²⁰² *Ibid.*

²⁰³ *Ibid.* p. 8-9.

would provide a framework for future politicised anti-slavery language. The convention was a highly bi-partisan affair. Several prominent New York Whigs spoke at the Convention, including Congressmen Erastus D. Culver and Joseph L. White. Free Soil rhetoric emphasised bi-partisanship, a theme absent from the rhetoric of major parties over the previous two decades. Democrat Judge James W. Nye of Madison County declared that, “if we are wrong on the Tarif [*sic*], it can be righted in twelve hours. If we are wrong on Banks, it can be righted in legislation. But if we are wrong on the subject of slavery, it can never be righted.”²⁰⁴ This bi-partisanship was expressed in profoundly sectional terms. White claimed that “my earliest attachments were for the Whig cause, and for Whig principles... But I am here because I find in the platform of this great Convention, the ground upon which, as a man of Northern birth and Northern education, but of national views, I have always stood.”²⁰⁵ Both Whigs and Democrats attacked their opposition within their own parties. Nye, attacking the Hunkers, claimed they “had no more title to the designation [of Democrats] than the Devil to that of Christian.”²⁰⁶ White argued that, “the Whig Party... has abandoned its organisation... its principles have been discarded.”²⁰⁷ Again and again, in explicitly sectional terms, the Convention attacked the South. It used rhetoric designed to present anti-slavery in as the cause of white Americans, for the benefit of white Americans. Erastus Culver argued that the South acted as a threat to the prosperity of the North.

Have you not seen that the slaveholders have always fashioned our movements? ... When they said bank, we had a bank. If they said Tarif [*sic*], we had a Tarif [*sic*]. And if they said no Tarif [*sic*], the Tarif [*sic*] was gone in a twinkling. When the factories were all going, and the factory girls making lots of money, and our farmers making money, and everything going on prosperously here at the North, the slaveholders said we must stop this. Those Yankees are going on too fast. They are becoming too rich and powerful, and they brushed away your prosperity as a housewife brushes a cobweb from the ceiling of a room.

²⁰⁴ Oliver Dyer, *Oliver Dyer's Phonographic Report of the Proceedings of the National Free Soil Convention at Buffalo N.Y. August 9th and 10th, 1848*, Buffalo 1848, p. 4.

²⁰⁵ *Ibid*, p. 28.

²⁰⁶ *Ibid*, p. 3.

²⁰⁷ *Ibid*, p. 28.

Free Soil stressed bi-partisan support for anti-extension measures and identified the slave holding south as its opposition. By doing so the Party adapted old rhetorical strategies that focused on threat identification and economic insecurity to the process of developing a competitive third party.

The convention made virtually no mention of the inhumane nature of slavery. Morality was discussed in terms which stressed the threat slavery posed to white virtue. The convention was routinely addressed by clergymen, who gave prayers which denounced the “tremendous iniquity of holding thousands of beings created by [by God] in bondage.” But little attention was paid to the actual suffering of African Americans. Instead the Free Soil movement developed rhetoric focusing on sectional hostility, arguing that the South had compromised the rights of the North. “A Virginian thinks the Constitution is a great jug with the handle all on the Southern side. And when you ask them to look on our side of the jug to see if there are not some guaranties there, they raise the cry of interference or dissolution of the Union” explained Culver.²⁰⁸ Another new element in Free-Soil rhetoric was its reference to the Declaration of Independence. Democratic Attorney for the Southern-District of New York, Benjamin Franklin Butler, demanded to know “can any... convince me that the Declaration of Independence sets out with a falsehood...?”²⁰⁹ Free-Soil rhetoric at the Buffalo convention adopted many themes and methods of abolition rhetoric. It joined these with rhetoric that laid bare the hostility existing between factions of the major New York Parties. It was remarkably effective; John Adams Dix, the Free Soil candidate for Governor, took 26.7% of the vote (122, 889), beating his Hunker opponent to third place by a margin of 6078 votes.²¹⁰ But Hamilton Fish, the Whig candidate, swept the state with 218, 776 votes, providing Democrats with a sharp reminder of the cost of intra-party division at the polls.²¹¹ However Free-Soil rhetoric had shown that it was possible to approach the issue of slavery on political grounds that were defensible from accusations of social radicalism.

²⁰⁸ *Ibid*, p. 11.

²⁰⁹ *Ibid*, p. 14.

²¹⁰ *Manual of the Corporation of the City of New York, 1852*, New York 1852, p. 367.

²¹¹ *Ibid*.

The successes of Free-Soil rhetoric and the importance of the slavery question to the people of New York could not overcome doubts the 1848 election defeats impressed upon the Democratic Party. Party rhetoric shifted to focus on the necessity for urgent reunification. The 1849 New York State Democratic Convention held at Rome stressed that it was “sincerely desirous of union with all who have heretofore acted in political fellowship with them” and drew the attention of New York Democrats to the deplorable “consequences of division and alienation, as well upon the great interests of the country as the integrity and ascendancy of the Democratic Party.”²¹² This was the beginning of what would become a common theme of Democratic rhetoric until the outbreak of the Civil War – calls for party unity on the basis of preservation of the Union, and denunciation of agitation of the slavery question. Free-Soilers had

demanded, as the condition of union, the distinct adoption of an extreme abstract position, unknown in the past action of the Democratic Party, unnecessary in any view of its future action, not demanded by any great public exigency, not required even if not objected to, to prevent the extension of slavery, but widely objected to at the North and at the South, as productive only of intestine evil and sectional agitation, and pernicious in its fruits upon the unity of the Democracy and the integrity of the Union.²¹³

The 1849 convention went on to categorise this demand as, “the very spirit of despotism” as the Free-Soilers were attempting, with their third party activity, combination with Whigs and hostility to Democratic electoral tickets, to hold the party to ransom.²¹⁴ The Convention rejected the notion that the slavery question had ever been a “test of faith” within the Democratic Party. The address then hit its stride, wheeling out traditional Democratic rhetoric attacks to face the anti-slavery movement. “The Slavery Agitation, as a party movement, may be said to have had its origin in the Hartford Convention” claimed the Rome Convention.²¹⁵ It argued the entire anti-slavery movement was the scion of federalism, synonymous with treason, and designed to achieve nothing more than the destruction of democracy through the overthrow of the Democratic Party. The Convention then refuted claims that Jefferson ever had any desire to dismantle slavery, and finally accused “the

²¹² Democratic State Convention (N.Y.), *Address and Proceedings of the Democratic State Convention Held at Rome, August, 1849*, Albany 1849, p. 1 col i.

²¹³ *Ibid.* p. 1 col ii – p. 2 col i.

²¹⁴ *Ibid.* p. 2 col i.

²¹⁵ *Ibid.* p. 2 col ii.

federal party, which had resolved henceforth to call themselves whigs” of allying with “abolitionists of both sexes” in a thinly veiled effort to appeal to sexual prejudice.²¹⁶ These themes would become the basis for New York Democratic rhetorical efforts to maintain unity in the face of growing agitation of the anti-slavery cause. This rhetoric combined appeals to party loyalty with appeals to prejudice and hostility toward the abolition movement and calls to maintain the Union in the face of their unnecessary agitation of an issue which presented a clear threat to it.

These efforts were assisted by the passage of the Compromise Act of 1850. Forced through Congress by the wiles of Stephen Douglas, Democratic Senator from Illinois, this series of bills was designed to halt debate of the slavery question. The Compromise was the saviour of Democratic unity – it allowed the Party to argue that the issue was closed. For the Whig Party, however, it served only to intensify pre-existing divisions. Seward and his faction were outraged by the Compromise. He denounced the Compromise in terms which built upon the rhetoric of the New York anti-slavery movement, but also laid down broader terms which would be developed by anti-slavery rhetoric in the future. Slavery was only one of many institutions in the United States argued Seward, but “freedom is equally an institution there. Slavery is only a temporary, accidental, partial, and incongruous one. Freedom, on the contrary, is a perpetual, organic, universal one, in harmony with the Constitution of the United States.”²¹⁷ The Compromise Bill gave “complete ascendancy in the slave states, and in the Constitution of the United States, to the subordinate, accidental, and incongruous institution, over its paramount antagonist.”²¹⁸ It was here Seward spoke the words that would reshape thought regarding slavery and its expansion.

There is a higher law than the Constitution, which regulates our authority over the domain, and devotes it to the same noble purposes. The territory is a part, no inconsiderable part, of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards, and must so discharge our trust as to secure in the highest attainable degree their happiness... Now the simple, bold, and even awful question which presents itself to us is this: Shall we, who are founding institutions, social and political, for countless millions; shall we, who know by experience the wise and the just, and are free to choose them, and to reject the erroneous and unjust; shall we establish human bondage, or permit

²¹⁶ *Ibid*, p. 3 col ii.

²¹⁷ George E. Baker, (ed), *The Works of William H. Seward Vol. I*, New York 1853, p. 74.

²¹⁸ *Ibid*.

it by our sufferance to be established? Sir, our forefathers would not have hesitated an hour. They found slavery existing here, and they left it only because they could not remove it. There is not only no free state which would now establish it, but there is no slave state, which, if it had had the free alternative as we now have, would have founded slavery.²¹⁹

This was Seward's Higher Law principle, for which he was branded by his detractors as a dangerous radical. Seward's rhetoric placed him, and therefore the progressive faction of the New York Whig Party that by now had been labelled "Sewardite", clearly and irrevocably in opposition to the expansion of slavery. The conservative faction of the party, meanwhile, became increasingly dedicated to avoiding the issue by whatever means necessary. At the 1850 Whig State convention held at Syracuse, Weed and Seward delegates passed resolutions which supported Seward's position and upheld the principles of the Wilmot Proviso. Unable to condone the language of the Convention, the conservative faction walked out.²²⁰ A meeting of conservative Whigs from the City of Rochester resolved that "we deeply lament the apparent, and as we trust, temporary division of the Whig party of this State, caused by the extraordinary action of the majority in the Syracuse Convention" and lent its support to a convention of conservative Whigs to be held in Utica in opposition.²²¹ In 1851 Whig Governor John Young expressed opposition to the Sewardites using rhetoric which refuted Seward's Higher Law principle, arguing that "there is a law higher than all human law. In the abstract, this is a truth which is not to be gainsaid. But in its practical adaptation to human affairs, such a proposition would be found subversive of order, and all human government. It would bring upon us anarchy."²²² The Party attempted to reunite the following year on the common ground of support for canal extensions, but similarly to the Democratic Party in 1847 and 1848, it was unable to end the bitter feelings which internecine strife had created. Slavery had become an issue the major Parties in New York were finding impossible to find common ground on which could defuse the internal disputes it was creating.

²¹⁹ *Ibid*, p. 75.

²²⁰ Milton M. Klein (ed), *The Empire State: A History of New York*, New York 2001, p. 399.

²²¹ 'Whig Meeting at Rochester.' *North Star*, 24 Oct. 1850.

²²² John Young, *Complimentary Dinner to the Honorable John Young at the Irving House, New-York, January 18th, 1851. Correspondence and Speeches*, New York 1851, p. 30.

The rhetorical strategies of the 1830s and 1840s that had lent the parties strength and identity as a product of the interparty hostility on which they thrived were very destructive when turned inwards. The pro-conciliation forces of conservative Whigs and Hunker Democrats faced a severe problem, identified by Young; “The whole North, in feeling, is opposed to slavery; we are taught from infancy to oppose it, and when the South asks us to think and feel with her, she asks what she has no reason to expect.”²²³ Although Young immediately qualified this remark with the argument that the South had “a right to ask that we shall leave her in the enjoyment of all her rights”, he had struck upon the key reason that internal division within the state parties could not continue indefinitely.²²⁴ The rhetorical methods of both the Whigs and the Democrats hinged on two major principles; first the legitimisation of party principles and action through their definition as reflections of the popular will of the people of the state. Second, the total refusal, relentlessly stressed in that rhetoric, to accept the opposing party’s interpretation of liberties, or rights, that citizens ought to enjoy. This had been the basis for Whig and Democratic rhetoric regarding the Bank, the Depression, nativism, state credit, the constitutional reform movement, and every other major issue the state had faced in the past two decades. The rhetorical methods of both parties meant that they were going to be forced to reach a consensus on the issue of slavery if they were going to continue as parties in their established forms.

What finally forced this consensus was the passage of the Kansas-Nebraska Act in 1854. The Act was denounced by a majority of the Northern electorate. It repealed the Missouri Compromise, a move which enraged the North, appearing as it did the *coup de grace* in a long series of insulting political acts which overtly favoured the South and slavery. In New York, spontaneous Anti-Nebraska meetings swept the state, brewing up in Rochester, Lockport, Skaneateles, Oswegatchie, Penn Yan, Baldwinsville, Auburn, Albion, Cherry Valley, Hornellsville, Randolph, Albany, Oswego and

²²³ *Ibid.*

²²⁴ *Ibid.*

even New York City, previously a bastion of the conservative Whigs.²²⁵ Whig congressmen from New York all opposed the Act. On the Democratic side thirteen Congressmen joined the Solitary Free-Soil representative from the state to vote in the negative, leaving 10 Democrats in favour, half of whom came from New York City.²²⁶ Those were men such as Mike Walsh, whose constituents disproportionately came from Irish American Communities whose hatred for African Americans had made them virtually the only groups in New York who made no public denunciations of Kansas-Nebraska.

Slavery has commonly been seen as an issue which swept into state politics in the 1840s, profoundly destabilising and then eradicating previous party distinctions; it shattered established party structures in New York in 1854. However, those structures were already split by unmanageable divisions. The most apt analogy is that of an apparently solid block of stone, riven throughout with deep fractures. It only required a single, forceful blow to shatter the block; the Kansas-Nebraska Act provided that blow. These fractures had developed over the previous two decades, in part because of the tide of events and changes that confronted New York in that period, but also, substantially, owing to the rhetorical strategies that New York politicians used to confront and manage those events and changes. The rhetoric they employed increasingly stressed partisan loyalty to be expressed through dedication to ever more inflexible political principles. This made the originally wide and accommodating umbrella identities of the major parties increasingly cramped and confined. It created intense bitterness among politicians who were unable, or at least unhappy, about passing party tests of loyalty on issues such as the Independent Treasury Act, the Specie Circular, support for nativism and reform of naturalisation laws. These divisions were never really healed – they were papered over in order to affect unity for the sake of elections. Intra-party conflict became increasingly acrimonious, but the politicians of both parties had no-where else to go. It was not possible, in the democratised, mass political environment of New York in the Second

²²⁵ Mark L. Berger, *The Revolution in the New York Party Systems 1840-1860*, National University Publications, Kennikat Press, Port Washington, New York & London 1973, p. 6.

²²⁶ *Ibid*, p. 10.

Party Era, to achieve meaningful political success as an independent politician. As such, control of party identity was contested throughout the whole period.

The abolition movement's rhetoric evolved independently of these struggles. Not needing popularity to ensure its survival, it nevertheless had to develop an argument which it could use to sway a hostile population to its way of thinking. To do this, it closely mimicked mainstream political rhetoric, but, in crucial ways, it adapted it to better suit its aims. Anti-slavery rhetoric argued that slavery was an inherent moral evil, and a threat to the virtue of the American Republic. This was similar to a common rhetorical method used by the major parties, of identifying a threat to public virtue, or democratic institutions, and claiming that they were acting to arrest its effects on American Society. Like the major parties' rhetoric, anti-slavery rhetoric stressed the need for collective action against this threat, in terms that closely resembled the attitudes of communal responsibility stressed by the Evangelical revivals that were popular in upstate New York. Again, in similar terms to the rhetoric of the major parties, abolitionists stressed that their aims were not radical but were founded upon principles of moral conservatism and a desire to preserve American liberties and institutions. The movement harnessed the hostility of sections of the public and major parties opposed to it, citing these as evidence of the threat slavery posed to freedom of speech and democratic processes. The rhetoric of the movement developed the view that the slaveholding South was using threats and engaging in political actions which were designed to compromise the democratic processes of the nation to the expense of the North. This theory would eventually evolve into the "slave power" rhetoric used by the Republican Party in the 1850s. But most importantly, the abolition movement used the Declaration of Independence, as opposed to the Constitution, to justify and legitimise its aims. They combined references to that document with moralistic assertions of the natural law and the inherent rights of man which invoked religion in a way that sought to link Christianity with the American system of government. It was not the United States that gave men their rights; God had given them freedom, and by adhering to democratic principles Americans were expressing their dedication not only to liberty, but to Christianity. This

reasoning provided the abolition movement with a viable alternative rhetorical method to that which was used by the major parties.

By 1848, when the Free-Soil movement emerged, the abolition movement had already laid extensive groundwork for the rhetorical methods that that party could adopt. The Constitutional Convention of 1846 had reduced the significance of the differences between the two parties in terms of economic theory. Free Soil identified slavery as the major threat to the liberties of New Yorkers, and by doing so was able to defy established conventions of Party alliances. At the Free Soil Conventions held at Utica and Buffalo, the radical Wing of the Democratic Party allied itself with the progressive wing of the Whig Party in opposition to slavery. Their motives were varied – ambition, genuine desire to effect reform, and the desire for vengeance upon political rivals. But the rhetoric they developed completely altered the Party alignments of New York. Doing away with reliance upon unanimity of view on all issues to define the party, the Free Soilers openly, and happily, confessed to internal division on all manner of subjects. What they stressed was their unity in the face of the threat of slavery, and the bi-partisan nature of their party. Free-Soilers developed their party identity based on broad principles relating to American liberties, particularly freedom, and focussed themselves around opposition to slavery, with freedom of expression on other issues. Although the Free-Soil Party did not last, it changed the conceptions of those who participated in the movement. During the political upheavals caused by the Compromise of 1850, and the Kansas Nebraska Act of 1854, the Free-Soil movement's legacy was the development of a bi-partisan party as a viable possibility. That possibility would be realised in the Republican Party, and would bring an end to the Second Party Era in the State of New York.

Conclusion

The political rhetoric of New York during the Second Party System represents a debate over the proper nature of democracy. New York's parties agreed on the fundamental nature of what American society should provide – a society of egalitarian values that championed the political and legal rights of the individual. However they disagreed fundamentally on how to achieve this. The real key to understanding this dialogue lies in the fact that they knew the nation was developing rapidly. The huge changes taking place during the Second Party Era, demographically, socially and economically, created intense anxiety that the United States was losing its way – that republican virtue was being sacrificed on the altar of prosperity, or twisted out of shape by new social influences. This was a dialogue that included both elites and members of the middle classes, and so was broader than that of the Revolutionary Era. Democrats and Whigs argued that legislative action must conform to the popular will of The People – the will of the majority. New York parties contested elections with rhetoric that argued that representatives were expected to represent the will of their constituents, as opposed to being elected to lead them. They developed rhetorical strategies that stressed conservatism, defence of American liberties from identifiable threats, and the communication of clearly defined political philosophies which established broad umbrella identities. These identities were political vehicles designed to allow politicians representing a wide spectrum of interests to unite as one political body at the ballot box. The rhetoric they used pushed egalitarianism into the centre of political debate; conflict over defining the process by which egalitarianism would be achieved created intense intra-party stress which eventually led to the breakdown of the second party system – a remarkable irony considering that the aim of the rhetoric of the era was to build and maintain political coalitions.

Parties sought to develop identities which could be adopted by individual New Yorkers as aspects of their own. In order to do so, they used rhetoric that could be easily understood and was appealing to individual New Yorkers. This appeal was based upon the way in which individual New

Yorkers interpreted the changes they saw developing all around them as either positive or negative influences on their lives. Democrats, suspicious of the new credit system and market orientated economy, stressed that egalitarianism could only be achieved and protected through the principles of a negative state doctrine – that the best defence against encroachments on personal liberty was a restrained and largely inactive government. Whig rhetoric argued for a harmonious society that would create widespread prosperity. Their positive state doctrine posited that the state had a responsibility to play an active role in developing prosperity and ensuring the public welfare – that the best way to ensure egalitarianism was for the state to protect industry and promote opportunity. Both parties embraced economic change and development. The wealth of the United States encouraged confidence in the idea that it was possible for all members of society to share in its prosperity. However the major parties approached this in different ways. The difference was that while Whigs believed that egalitarianism would be achieved by augmenting this process to create greater opportunity, Democrats argued that government withdrawal from the economy would lead to greater opportunity for individuals to participate in it.

The way in which Whigs and Democrats presented these arguments to the public lent heavily on the glorification of democratic processes. Parties sought to recast the terms in which Americans understood the legitimacy of legislative power. Before 1828, politicians had been expected to lead the people. They were selected on the basis of intellectual superiority to the greater body of the electorate. Politicians in the first party system were expected to ascertain the greater good of the entire American community and implement policy which would make that greater good a concrete reality, even if this meant sacrificing some of the interests of their section. It was in the spirit of this attitude that John Quincy Adams warned representatives against being “palsied by the will of our constituents.”²²⁷ Over the course of the 1830s both parties abandoned this attitude. They instead presented their ideas as the will of the electorate at large, and claimed that popular opinion was the

²²⁷ John Quincy Adams(6/12/1825), ‘First Annual Message’, *Miller Centre*, n.d. <<http://millercenter.org/president/jqadams/speeches/speech-3514>>, [accessed 20/09/2015].

legitimation of all their legislative decisions. They accused their opponents of attempting to subvert or manipulate public opinion, and sought to cast them as aristocratic, anti-democratic, and hostile to the liberties of individual Americans. This rhetorical tactic was repeated again and again. Parties identified threats to liberty; the BUS, immigration, Freemasonry, Alcohol, political corruption, and claimed that their party stood arrayed against it defence of the liberties of New Yorkers. In turn they accused their opponents of being complicit in this threat, either through the results of their policies, or through deliberate efforts to subvert the democratic process.

These threats were effective because Americans were deeply concerned about the direction in which their nation was headed. As the United States reached into the future, it kept constantly referred to the Revolutionary past, although the figures that politicians invoked became less and less clearly related with their aims. Few of the Founding Fathers would have been able to stomach the wild democracy in which the Whig and Democratic Parties revelled. New Yorkers watched as institutions developed in around them that, along with huge concentrations of wealth, would have been unimaginable to the previous generation. Political rhetoric directed these anxieties toward threats to the egalitarianism which Americans were convinced was constantly under threat. Politicians cast these threats as noxious to the egalitarianism and democracy, and their opponents as therefore being engaged in a deliberate attempt to subvert democracy. From a modern point of view this seems hyperbolic, but the United States was not yet a cynical nation. Popular interest in politics was high during the Second Party Era, and several political movements, such as Free Masonry, developed from grassroots, or, like abolition, struggled on in defiance of intense and violent opposition.

A natural result of this was an increase in the role that popular interests and prejudices played in political rhetoric. New York went through social, economic and demographic changes during the Second Party Era, which created new, and intensified old, interests, rivalries and prejudices. New York politicians played on these prejudices and rivalries in order to build political identities for their

parties with which they could unite the varied and fractious factions in New York. Both the Whig and Democratic Parties were coalitions of politicians of varying economic and political philosophies, and more importantly, priorities. Thus this was a complex effort, necessitating the two parties to balance their rhetoric between the interests of numerous, sometimes hostile groups. However when done successfully, they were able to gain the support of large sections of the electorate. Democrats gained the support of the immigrant community, and the successful amalgamation of the Adams Republicans and Anti-Masons into the Whig Party lent them the support of those groups. Through the development of broad political principles which they argued defined their Party's definitions of egalitarian governance, parties developed political identities which were synonymous with their supporters' personal identities, hopes, and fears.

The polarisation between the two parties' concepts of the role of government led to intense partisanship between them. Rhetoric that stressed certain principles as vital to fostering an egalitarian state was used to differentiate the party from its opponents, principles they argued were synonymous with American liberties, and as such with the entire American way of life. However as a result, the common way of casting one's opponent was not simply as having an alternative but unfounded or unwise opinion, but by being actively engaged in attempting to subvert democracy. While allowing scope for rhetoric that could incite great interest, participation and passion for politics, this method had the intrinsic weakness of being untenable if used indefinitely. Each issue the parties faced – the election of Andrew Jackson, the Bank War, the Depression, the 1846 convention and the Kansas-Nebraska Act to name the most critical – became tests of party orthodoxy. These tests were not always set by the parties themselves – the Locofoco challenge during the mid 1830s is an example of a faction of a party forcing a question of orthodoxy upon the majority. Regardless, they did become tests, and the high stakes that were set by their rhetoric - accusations that opponents were stupid at best and treasonous at worst - led to parties with increasingly inflexible political identities.

These identities were conservative. They stressed defence of individual freedom, economic opportunity and social egalitarianism. The Whig Party argued that it was attempting to protect the electorate from excessive executive power, and promoting economic opportunity. The Democratic Party argued that it was defending the people from an overly powerful and overactive central government. In conveying these ideas to the public, both parties language stressed conservative values. Politicians spoke of preservation and accused their opponents of radicalism. They routinely employed religious references, developing the idea that their aims were in keeping with the maintenance of a virtuous Christian republic. And in particular, they constantly related their ideas to those of the Founding Fathers, developing the idea the party philosophy developing the idea of the party philosophy as being a continuation of the purposes of the Revolutionary generation. Through these efforts, the parties sought to recast popular conceptions of how American liberties were supposed to be applied to society and politics in favour of their own policy agendas. However the legislation and rhetorical strategies of both parties was radical by comparison to that of the previous generation. The destruction of the BUS, the huge role that New York's government played in its economy during the Second Party Era, and the vast debt the state amassed during the Whig's ascendancy in the late 1830s were all unprecedented. More than anything the democracy and egalitarianism that was the foundation of the political rhetoric and policy of New York's Second Party era was a radical shift from the sober republicanism of the Revolutionary Era. But Whigs and Democrats clothed these actions as consistent with the vision of the Founding Fathers. As the world changed rapidly and unpredictably all around them, and as they responded in unpredictable ways, politicians debated the issues of the day and relentlessly insisted that everything was going according to plan.

The parties of the Second Party Era engaged in a competitive definition of rhetoric. This was a process by which the actions and positions of one party played a definitive role in the establishment of the opposing parties' positions. This tendency began in 1828 when the Democratic Party for the first time conducted a campaign aimed to gain the support of new voters who had recently gained

the suffrage during the democratisation of the political process of the 1820s. Over the course of the 1830s, Democrats discovered and employed certain rhetorical strategies that they found effective in mobilising voters. The Bank War of the 1830s provided an example of these new strategies. The Democrats identified a threat to the state and the nation – the BUS – and directed their rhetoric against it. Through attacking the BUS, they defined their political identity more clearly by establishing broad principles upon which that identity was based. This process of definition was made easier because the Bank was such a conservative institution – it allowed the Democrats to present radical ideas, such as the removal of the federal deposits and constitutional criticisms of the bank as moderate, conservative attitudes by comparison. In addition, Democrats pioneered populist electioneering techniques, using mass meetings and marches designed to invigorate and excite the electorate. The Whigs eventually mimicked and developed upon these methods in the 1840 election, adding slogans, songs and symbolism in the form of “log cabin and hard cider” campaigning. Interest group adoption was another way in which the two parties engaged in competitive definition. For example the Democratic Party courted the immigrant vote, appealing to Catholics with claims they sought to defend religious liberty and opposition to temperance laws and attempts to increase naturalisation periods. The Whig Party in turn employed rhetoric which courted temperance and nativist movements which had been alienated by pro-immigrant Democratic rhetoric. The confluence of these two phenomena; mimicry of electioneering and rhetorical techniques and polarising rhetoric based on appeals to groups alienated by the opposition, resulted in an odd evolution of rhetoric. Whilst using the same methods, and promoting the same liberties, the parties developed increasingly polarised and incompatible political philosophies, which helped to differentiate them from each other. However it also put the party cohesion under increasing amounts of stress, as rhetoric was refined to maintain the support of such a wide spectrum of supporters whose attitudes toward salient issues often clashed.

Whigs and Democrats typically embraced rhetoric that could clearly define them from their opponents - important, as stated earlier, owing to the great number of similarities that the two

parties bore to one another. However, slavery was divisive in a way which was dangerous. The issue cut across both parties, not in economic or philosophic, but in sectional terms. The rhetoric of division had by 1840 created severe schisms within both parties. In the Democratic Party, division over economic issues that had begun in 1838 had continued in various forms. By the late 1840s the split between the Barnburner and Hunker factions of the party was so ingrained that it was becoming increasingly difficult to reunify the party during major elections. Within the Whig Party, by the early 1850s division between the conservative, pro-nativist wing of the Party and the progressive wing led by Seward had become comparably irresolvable. Therefore slavery rhetoric exacerbated already barely manageable divisions in state party structure, and could not be adapted to the benefit of one party and the expense of another. In this way slavery rhetoric differed from that employed by Nativist parties, which was often stolen by the Whigs, and Workingmen's parties' rhetoric, which was often stolen by the Democrats. However in 1847, the Barnburner faction of the New York Democratic Party, employed anti-slavery rhetoric in terms that established their philosophy as anti-extensionist rather than abolitionist, thereby avoiding the stigma of dangerous social radicalism attached to abolition. This rhetoric, adapted from established rhetorical strategies developed by the New York abolition movement, was popular enough to enable disgruntled members of both the Whig and Democratic Parties to unite within the Free-Soil Party. Although the Free-Soil Party was short lived, it had shown New York politicians that there was an acceptable way to approach the slavery issue. So, many politicians were unwilling in 1854 to resist the explosive opposition to the Kansas Nebraska Act. It was this response, coming at a time of great stress within the existing party structures that induced New York politicians to break from their existing parties to form a new identity.

Thus between 1848 and 1854, both parties' cohesion shattered. The breakdown that occurred was not the result simply of destructive forces – the Republican Party did not simply rise from the ashes created by the slavery debate. By 1854 both the Whigs and Democrats in New York were suffering from internal divisions. The Whig Party, split between conservatives and the progressives

led by Seward, was also being pulled apart by the increasing influence that temperance and nativist movements had over the Party. The Democrats were split by an internal conflict between the Barnburner and Hunker factions of the Party which had not healed. For politicians such as Preston King, the leader of the Free Soil faction of New York Democrats in 1854, the slavery agitation offered a chance to complete the work of 1848, and found a new party with an identity based upon Free Soil principles. For a Radical Whig like Seward, it offered the opportunity for a powerful position in a new party more receptive to having its identity shaped by his political philosophy. The emergence of that new party, fuelled by public hostility to the Nebraska Act, was the result of the rhetorical strategies which had been developed over the last two decades. Bereft of large support within their own parties factions of both Whigs and Democrats opposed to slavery's expansion came together in response to the success of the Free-Soil and Liberty Movements. But they established the Republican Party in New York on a broader basis than merely opposition to expansion, but also with an identity which embraced glorification of free-labour, a rejection of Know-Nothingism and economic development and organisation principles already popular in New York.

The umbrella identities created by the major parties between 1830 and 1848 were fragile, and this fragility became increasingly harder to disguise. Their design hinged upon parties' ability to construct identities which represented the interests of a diverse cross section of the electorate, in pursuit of the support of the 51% of the voting population they needed to maintain power within the state. It was from this necessity that their weakness stemmed; as evidenced by the difficulties posed to both parties by well mobilised and organised political movements such as Anti-Rent, Temperance and most importantly, Free-Soil, it left their cohesion open to being held hostage by sudden "excitements" (such as Anti-Rentism and Know-Nothingism), in contemporary parlance. Throughout the 1830s and 40s, these excitements were accommodated and merged into one or more of the parties, but slavery provided an issue which broke party identities both in New York and elsewhere, leading to the establishment, first, of the Free-Soil Party, and subsequently the Republican Party. The rhetoric of the Second Party System in New York had been focussed

throughout the period on economic issues which divided the two parties. It offered both distinct identities, allowing them to construct the electoral followings which were vital to victory at the ballot box. However by 1854 in New York these identities could no longer serve their purpose. The reason for this was that the key element to political identity was that it resonated with the identity of the electorate. Confronted by slavery, an issue which neither party was able to accommodate within their established identities, they broke down, and were replaced by emerging parties which were willing to take that issue and place it at the heart of their rhetoric and principles, and present those in turn to the electorate. During the 1830s, broad umbrella identities developed with rhetoric that focussed on the parties as institutions acting in defence of liberties, and cast the opposition party as hostile to those liberties, had provided a means of uniting large numbers of politicians in order to achieve electoral majorities. During the 1840s these identities became less and less flexible. With the decline of economic issues following the 1846 New York Constitutional Convention, the parties lost the ability to focus on the economic issues they had previously been able to rally around (although in the case of the Democratic Party, this reliability was already in decline). By 1846 the parties were barely holding together against the strain of a decade of increasingly regular internal conflict. Slavery was the issue that broke this tenuous unity, exacerbating pre-existing division beyond the point where party coherence could be maintained. The Second Party Era was over in New York, destroyed in part by the weaknesses and inflexibility of the rhetorical strategies which it had fostered and developed, when confronted with an issue – slavery - it could not accommodate. However slavery was only the final blow – the Second Party System was already reeling from the internal disputes of the Whig and Democratic Parties. These disputes were exacerbated by the use of rhetoric that stressed differences between the two parties. These differences were stressed in order to encourage unity, which was vital to compete in the increasingly organised political environment of the mid nineteenth century. They differentiated Whigs and Democrats sharply, despite the fact both parties had much in common – dedication to egalitarian values and a desire to promote prosperity. Most importantly both embraced the economic changes occurring within the

state. Democrats might have harped on about the effects of the credit system, but they made no real effort to inhibit its development – rather they sought to adjust it to fit more comfortably with their political philosophy. This is was the weakness and irony of the rhetoric of the Second Party Era; in order to promote unity, parties stressed the differences between them and their opponents. However by casting their opponents as actively seeking to undermine democracy, they reduced the flexibility of the political identities they created. This inflexibility led to increasing amounts of intra-party stress, which eventually caused the collapse of the Second Party System.

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