ABSTRACT

Title of thesis: SPEAKING FOR SOUTHERN VALUES: THE RHETORIC OF JEFFERSON DAVIS, 1844-1862

James Luke DeAngelis, Master of Arts, 2004

Thesis directed by: Professor David Grimsted, Department of History

This study argues that while Jefferson Davis has been assessed as a historical figure, his persuasive appeals have not received sufficient scrutiny by historians. The study provides a close analysis of Davis's political rhetoric, first assessing his oratory as Confederate president and then tracing his appeals into the antebellum years. The study concentrates on political oratory because it was the most important form of political persuasion in antebellum American, especially in the Old South. Davis was arguably the nineteenth-century South's most influential politician and the rhetorical appeals he used to unify the region are critical to our understanding of southern values and aspirations. The study closely scrutinizes representative speeches at various points in Davis's career, both as an aspiring politician and as an acknowledged sectional leader. Closely analyzing Davis's rhetoric over decades reveals continuity and change in his appeals, while providing insight into critical historical questions about the Old South.

SPEAKING FOR SOUTHERN VALUES: THE RHETORIC OF JEFFERSON DAVIS, 1844-1862

by

James Luke DeAngelis

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Advisory Committee:

Professor David Grimsted, Chair
Professor Ira Berlin
Professor Whitman Ridgway

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Introduction: The Rhetorical Record

"The poor do, indeed, fight the battles of the country. It is the poor who save nations and make revolutions."[1]

Most scholars can be forgiven for not recognizing the nineteenth-century leader who so openly praised his country's underclass. He was the same leader who spoke of a society without class distinctions, and a land where democracy and individual freedom were guaranteed by a government that sprang from the people. Despite such sentiments, Confederate president Jefferson Davis does not come to mind as the type of leader who might have lauded poor revolutionaries, much less acknowledged that the success of southern independence depended upon the lower classes. Instead, the Confederacy Davis headed is often viewed as an elitist movement, driven by southern planters who urged secession in order to preserve the peculiar institution that was the foundation of their economic, political and social dominance.[2] On the surface it would seem rhetoric celebrating the virtues of the revolutionary poor, and espousing an egalitarian society, does not easily fit into a coherent narrative of Jefferson Davis, or the Confederacy as a whole.

But a close examination of Jefferson Davis's words during the Civil War shows that he paid such homage to poor *revolutionaries* while he assured his audience that all whites were considered equal in the Confederacy. Scholars have long debated whether

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[1] Lydia L. Crist et al., eds., *The Papers of Jefferson Davis*, vol. 8 (Baton Rouge: Louisiana State University Press, 1971), 569.

[2] James L. Roark, *Masters Without Slaves: Southern Planters in the Civil War and Reconstruction* (New York: W.W. Norton & Company, 1977); Eugene Genovese is still the foremost interpreter of southern planters in the antebellum years. See Eugene Genovese, *The Political Economy of the Slavery: Studies in the Economy and Society of the Slave South* (New York: Vintage, 1967), 270; Eugene Genovese, *The World the Slaveholders Made: Two Essays in Interpretation* (New York: Pantheon, 1969); Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage, 1975).

Davis was up to his leadership task, but there is no doubt that he recognized the Confederate class dilemma, nor that he frequently attempted to bridge the fissures that divided white southerners. Davis's rhetoric at a critical juncture in the war shows, among many other themes, the strong desire to mute class animosity among white southerners, while portraying the South as an enlightened society under siege from despotism. But Davis did not begin addressing these types of concerns in the war years. He spoke about southern class relations dating back to his earliest experiences in public life in the early 1840s. His oratory over those years in public life also focused on southern and national politics, economics, culture, and societal values. Davis's rhetoric as a regional leader, therefore, offers an important insight into the larger historiographical debates about the antebellum South and Confederacy. If anyone spoke for southern values during these years, it was Jefferson Davis, the man eventually chosen to lead the Confederate nation.

This study seeks to closely examine Jefferson Davis's rhetoric over two decades to explain the type of persuasive appeals he made to various audiences. Rhetoric is the primary focus of the study because public speaking played an especially important role in nineteenth- century America, and especially in the Old South.[3] Rhetorical scholar Waldo Braden calls the Old South "an oral society" that was "more attuned to the spoken word than to the printed page." Braden explains that in the antebellum period, southerners, living in a largely rural society, looked to orators to inform, inspire, and entertain. Skilled orators were widely admired figures and southerners would frequently travel countless miles to witness, and participate in, political rallies, festivities, legal proceedings and religious revivals. The emergence of universal white manhood suffrage

[3] The word "rhetoric" is used in this study the way Aristotle defined it in *Rhetoric*, as an art that "consisted of seeing the available means of persuasion." Quoted in Halford Ryan, ed., *U.S. Presidents as Orators: A Bio-Critical Sourcebook* (Westport, Conn.: Greenwood Press, 1995), xv.

in the antebellum period made rhetoric even more significant in the South because it was the major means of political communication.[4] As political rhetoric gained more importance throughout the antebellum period, so it offers important insight about the persuasive appeals made by southern leaders. The detailed analysis of rhetoric recognizes that understanding these words and popular appeals requires integrating parts into even-larger wholes.

Close analysis of historically significant rhetoric has been the domain of scholars of public address, a branch of communications scholarship. Scholar Jeffery Auer in *Antislavery and Disunion, 1851-1861,* a compilation of pre-war rhetorical scholarship, summarized the importance of this type of study when he wrote: "Historical events do not take place in a vacuum; a people's behavior develops from their reactions and adjustments to the forces playing upon them. Economic circumstances, social pressures, cultural heritages, political developments, and the very geography and aerography of the environment create the psychological forces that set off reactions and motivate decisions° Decisions, however, do not bloom unaided in the minds of men. It is the function of rhetoric to give form to economic, social, and political problems, and to establish alternative solutions."[5] Effective rhetorical scholarship analyzes the scope of such appeals and puts the words and ideas in sufficient context. But over time, many scholars of public address were charged with the high crime of writing "mere history" in a discipline increasingly moving towards theory-building and social scientific quantitative

[4] Waldo Braden, *The Oral Tradition in the South* (Baton Rouge: Louisiana State University Press, 1983), ix. For a local assessment of the importance of political rhetoric in the South's buildup to war, see ibid., 44-64. For a national perspective see Robert G. Gunderson, *The Log Cabin Campaign* (Lexington: University of Kentucky Press, 1957).
[5] J. Jeffery Auer, ed, *Antislavery and Disunion* (New York: Harper and Row, 1963), v-vi.

research.[6] This might explain why rhetorical scholarship on Jefferson Davis is so limited. In fact, the most significant study of Davis's rhetoric was written over half a century ago. Most of the more recent studies on Davis's rhetoric end with his withdrawal from the U.S. Senate, or his inaugural address as Confederate president.[7]

But many of the themes in Davis's rhetoric are critical for any assessment of the Confederacy and southern history itself. For that very reason, close analysis of Davis's speaking at the height of the war offers an interesting window on the Confederate leader, the values he extolled, and the issues facing the South during invasion. Nevertheless, it is also significant to consider if such wartime rhetoric was simply a matter of political, or practical, expediency. Any wartime appeal requires scrutiny, particularly in a region under invasion from a numerically superior adversary. With that in mind, this study will examine if Davis's wartime rhetoric reflected his long-held political beliefs and values by comparing it to speeches from earlier points in his political career. Davis did not emerge as a sectional leader, and then Confederate president, by holding his tongue. In fact, he left a long rhetorical record as a public figure and his political stature grew over the course of several decades by espousing popular ideas that appealed to many white southerners. The rhetoric that propelled his political rise deserves close examination across a span of years to interpret the persuasive appeals and evaluate their consistency.

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[6] Kathleen J. Turner, *Doing Rhetorical History: Concepts and Cases* (Tuscaloosa: University of Alabama Press, 1998), 1. For another analysis of the debates within the communication discipline about how to proceed with rhetorical scholarship see also, Eugene E. White, ed., *Rhetoric in Transition: Studies in the Nature and Uses of Rhetoric* (University Park: Pennsylvania State University Press: 1980).

[7] Ralph E. Richardson, "The Speaking and Speeches of Jefferson Davis" (Ph.D. diss., Northwestern University, 1950). Richardson also published a shorter work on Jefferson Davis's antebellum speaking. See Ralph E. Richardson, "Jefferson Davis, Sectional Diplomat, 1858" in *Antislavery and Disunion, 1858-1861,* ed. J. Jeffery Auer (New York: Harper and Row, 1963), 51. For brief studies of Davis's rhetoric in the buildup to war, see W. Stuart Towns, *Oratory and Rhetoric in the Nineteenth Century South* (Westport Conn.: Praeger, 1998), 94-98; and James R. Andrews, "Oaths Registered In Heaven" in *Doing Rhetorical History*, 95-117.

Davis's oratory as Confederate president frames his larger speaking career in important ways. The first chapter, therefore, will analyze a speech from Jackson, Mississippi at the height of the Civil War to examine the rhetoric used to rally southerners in the midst of the conflict. The study then seeks to put this wartime rhetoric into greater context by comparing it to rhetoric from Davis's earlier political career. The second chapter investigates examples of Davis's earliest rhetoric as an emerging Mississippi Democrat at the beginning of the 1840s, a period when he started to craft his political messages to the electorate. Very few speeches remain from this point in his career, but those that do provide examples of the rhetorical appeals he made in a more localized setting. Finally, the third chapter examines specific examples of Davis's rhetoric during the growing sectional divide of the late 1840s and 1850s. The focus of the third chapter is on rhetoric that clearly represents his views over those years, a period when he emerged as a sectional leader on the national scene. One part of the chapter examines Davis's arguments in the United States Senate in the late 1840s concerning the spread of slavery into the territories. The second part of chapter 3 investigates rhetoric from Davis's tour of the North in 1858, over two years before the disintegration of the Union. Analyzing Davis's rhetoric at different times, locations and situations provides valuable insight into southern history and indicates popularly expressed values over a time span during which the South crystallized views of sectionalism and made a sustained attempt at nationalism.

But before commencing any examination of Davis, his rhetoric, or the larger cultural and intellectual milieu of the antebellum South or Confederacy, one must state the obvious: That regardless of any larger conclusions about the democratic ideals in

Davis's rhetoric, the fact remains that these concepts were limited to white men. To be sure, Davis's vision of democracy is exclusionary. In his rhetoric, four million slaves and thousands of free southern blacks were excluded from any discussion of equality or democratic ideals by the prevailing racial attitudes, practices and legal statutes of the Old South.[8] But this political and social exclusion does not mean that slaves and free blacks were not a central focus of Davis's rhetoric. On the contrary, slavery and race permeates the discussion of southern democratic and egalitarian principles. As this study argues, Davis's democratic rhetoric defends slavery and southern race relations in particular ways.

The prevailing gender relations of the Old South also left about half of the white population excluded from these larger political arguments about democratic principles because women were not considered the political equals of white men.[9] Nevertheless, several historians have challenged scholars to consider gender as a central concern in their scholarship.[10] Among other points, this study argues that Jefferson Davis addressed white women during the war in a way his prewar rhetoric had never done. In that sense, his rhetoric during the antebellum years focused more narrowly on the white male electorate. Perhaps this change in rhetorical emphasis from the antebellum years to the

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[8] The literature on slavery is extensive, but for a recent authoritative overview, see Ira Berlin, *Generations in Captivity: A History of African-American Slaves* (Cambridge: Harvard University Press, 2003). For the most comprehensive study of free blacks in the antebellum South, see Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Pantheon Books, 1974).

[9] For a range of perspectives on southern white women, see Elizabeth Fox Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988); Suzanne Lebsock, *Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860* (New York: W.W. Norton & Company, 1984); Victoria Bynum, *Unruly Women: The Politics of Social and Sexual Control in the Old South (*Chapel Hill: University of North Carolina Press, 1992)*;* Elizabeth R. Varon, *We Mean to Be Counted: White Women and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina, 1998). Varon places southern white women in the South's political debates.

[10] Stephanie McCurry*, Masters of Small World: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995). McCurry offers one of the more compelling correctives for who have overlooked gender considerations in the Old South.

war years lends support to studies that argue many southern white women lost enthusiasm for the Confederate cause during the conflict and needed persuasion to continue their support.[11] Or it may suggest that southern white women gained importance during the war years because of their greater enthusiasm for the Confederate cause. Whatever the case, Jefferson Davis addressed, and focused on, southern white women during wartime in a manner not evident in his pre-war rhetoric.

When Davis and other Old South politicians spoke about democratic or egalitarian ideals, they did so with the implicit understanding these political or social views were limited to white men.[12] Regardless of how one labels it, the antebellum South's social circumstances make discussion of democracy and egalitarianism highly ironic, but no less important. In fact, analyzing these ideas provides insight into one of the most troubling aspects of southern (and American) history--the democratic racist. This study looks at Jefferson Davis's long rhetorical trail to better understand his popular appeals, and his ideological vision for the South.

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[11] Drew Gilpin Faust, *Mothers of Invention: Women of the Slaveholding South in the American Civil War* (Chapel Hill: University of North Carolina Press, 1996).

[12] For this reason, some scholars have referred to the political situation in the antebellum South as a *Herrenvolk*, an egalitarian democracy for a dominant group--white men. Herrenvolk democracy ensures equal political rights for all white males, specifically by enslaving blacks, a group that then forms a permanent lower caste. For a larger explanation see George Frederickson, *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914* (New York: Harper and Row, 1971), and Kenneth P. Vickery, "'Herrenvolk' Democracy and Egalitarianism in South Africa and the U.S. South," *Comparative Studies in Society and History* 16 (June 1974): 307-328.

Chapter 1: Jefferson Davis's Rhetoric during the Confederacy

> "Our government is not like the monarchies of the Old World, resting for support upon armies and navies. It sprang from the people and the confidence of the people is necessary for its success."[1]

Not long ago, James M. McPherson and William J. Cooper, Jr. noticed significant areas of Civil War literature that remain underdeveloped, or in need of revision by a new generation of historians.[2] McPherson and Cooper rightly argued that, despite the huge body of literature on the Civil War, there are still areas that deserve exploration if we are to ever reach a more complete understanding of the conflict that transformed the nation. But despite several useful suggestions for scholarship, McPherson and Cooper missed one area of the conflict that often hides in plain sight. That subject is rhetoric. Even today, with such a massive body of literature on the war, there is a paucity of rhetorical scholarship focusing on southern oratory, the most common and influential means of political discourse.

To be sure, Lincoln's wartime rhetoric has been examined over the years. Many of his speeches have become iconic sentiments of American nationalism, which make

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[1] Lynda Crist, Mary Seaton Dix, and Kenneth H. Williams, eds., *The Papers of Jefferson Davis,* vol. 8 (Baton Rouge: Louisiana State University Press, 1989), 574. Hereafter *Papers*.

[2] James M. McPherson and William J. Cooper, eds., *Writing the Civil War* (Columbia: University of South Carolina Press, 1998), 4-7. McPherson and Cooper suggest several areas of inquiry, including prisoner of war issues, larger questions of political economy, and important gaps in scholarship on Jefferson Davis. Cooper has since published a biography of Jefferson Davis that has likely become the definitive work on the Confederate president. William C. Davis's *Jefferson Davis: The Man and His Hour* (New York: Harper Collins, 1991) is also an excellent account of Davis's life. See also Mark Neely's essay "Abraham Lincoln vs. Jefferson Davis: Comparing Presidential Leadership in the Civil War," in *Writing the Civil War*, 96-111. Neely noticed a paucity of comparative studies on Davis and Lincoln, but since then, David Donald contributed "Abraham Lincoln and Jefferson Davis as Commanders in Chief," in *The Lincoln Enigma*: *The Changing Face of An American Icon,* ed. Gabor Boritt, 72-85 (New York: Oxford University Press, 2001); Brian R. Dirck, *Lincoln and Davis: Imagining America 1809-1865* (Lawrence: University of Kansas Press, 2001); Bruce Chadwick, *Abraham Lincoln and Jefferson Davis: A Dual Biography* (Seacaucus, N.J.: Carol Publishing Group, 1999).

them interesting to scholars and general readers alike.[3] Lincoln's words, in a sense, often are treated as the key to his, and his nation's, deepest commitments and ideals. But the same type of rhetorical scholarship is lacking on the Confederate side. At the moment when southerners were engaged in the process of establishing their own national identity after decades of building towards secession, few have bothered to listen closely to what they said. In that respect, scholars often have a better sense of southern rhetoric in the antebellum era and Reconstruction than during the war years.[4] This is inexplicable considering that no one would argue the Civil War years lack significance in southern history. So why have scholars devoted less energy to rhetoric during the conflict than in the years leading up to the war? Is it because Confederate oratory lacks significance? Is it somehow self-explanatory? Or is it that scholars are often confident they know exactly what the Confederacy was fighting for?

Whatever the reasons, the scholarly neglect of Confederate oratory starts with Jefferson Davis himself.[5] For many scholars and Civil War enthusiasts alike, Jefferson Davis is a recognizable face, but an indistinguishable voice. Very few scholars have closely analyzed Davis' wartime rhetoric to reach a better understanding of his leadership and the words he used to inspire southerners.[6] Instead, Davis's war rhetoric has been

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[3] Garry Wills, *Lincoln at Gettysburg: The Words that Remade America* (New York: Simon and Schuster, 1992). *Lincoln at Gettysburg* was a bestseller and won the Pulitzer Prize.

[4] For examples of pre-war and post-war southern rhetoric, see Waldo Braden, *The Oral Tradition in the South* (Baton Rouge: Louisiana State University Press, 1983); Waldo Braden, *Oratory in the Old South 1828-1860* (Baton Rouge: Louisiana State University Press, 1970); Waldo Braden, *Oratory in the New South* (Baton Rouge: Louisiana State University Press, 1979); W. Stuart Towns, *Oratory and Rhetoric in the Nineteenth Century South* (Westport, Conn.: Praeger, 1998).

[5] One notable exception is Michael Perman, who includes a very brief excerpt of Jefferson Davis's Jackson, Mississippi speech in *Major Problems in the Civil War and Reconstruction,* Michael Perman, ed., 217-218. Major Problems in American History Series, ed., Thomas G. Paterson (Lexington, MA: D.C. Heath and Company, 1991). Perman, however, includes no specific context for the speech excerpt.

[6] Ralph Richardson is the public address scholar who has most closely studied Jefferson Davis's rhetoric. See Ralph Richardson, "Jefferson Davis, Sectional Diplomat, 1858" in *Antislavery and Disunion, 1858-1861,* ed. J. Jeffery Auer (New York: Harper and Row, 1963), 51. Richardson also has a longer study on

whittled to an occasional quote, or relegated to the footnote, processes that have led to an incomplete view of the issues he addressed, his persuasive powers, and the Confederacy itself.

No doubt there are several understandable reasons for this neglect of Davis's rhetoric. First and foremost, scholars tend to overlook Davis's rhetoric because it suffers in comparison to Lincoln's unifying and poetic oratory. Lincoln's war speeches often appear timeless and affirming despite the fact that they were spoken in the midst of national turmoil. Nevertheless, even though Lincoln's rhetoric has long been part of the American canon, and memorized by generations of schoolchildren, some recent scholarship can still give fresh insight to his words. Scholars like Garry Wills and Harry Jaffa demonstrate that very close analysis of Lincoln's rhetoric can be intellectually telling, even when the words are known by heart. And if there is still more to learn about Lincoln's speeches, there is almost everything to learn from the words of the Confederate leader.[7]

Historian David Potter once characterized Davis, the Confederate president, as a failed leader primarily because of his poor communication skills. In Potter's view, Davis was an entirely "conservative leader" who would "scarcely even communicate with the

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Davis, "The Speaking and Speeches of Jefferson Davis" (Ph.D. diss., Northwestern University, 1950). Rhetorical sketches of Davis include: Robert T. Oliver, *History of Public Speaking in America* (Boston: Allyn and Bacon: 1965), 218-225. Oliver includes a very brief section on Davis's rhetoric, stretching from sectional leader to post-war orator defending the legacy of the Confederacy. For a comparative rhetorical analysis of the inaugural speeches of Lincoln and Davis, see James R. Andrews, "Oaths Registered in Heaven: Rhetorical and Historical Legitimacy in the Inaugural Addresses of Jefferson Davis and Abraham Lincoln," in *Doing Rhetorical History: Concepts and Cases*, ed. Kathleen J. Turner , 95-117 (Tuscaloosa: University of Alabama Press, 1998).

[7] Garry Wills, *Lincoln at Gettysburg*, and Harry V. Jaffa, *A New Birth of Freedom: Abraham Lincoln and the Coming of the Civil War* (Lanham, Md.: Rowman and Littlefield Publishers, 2000). Both studies give tremendous context to Lincoln's rhetoric, especially at Gettysburg.

people of the Confederacy."[8] But this study argues just the opposite. Davis did speak to the people of the Confederacy, and with increasing frequency as the war continued. Those speeches reflect many of the central issues of the conflict, and explain the ways in which Davis sought to rally the populace. Moreover, while few would argue that Davis's words are the equal of Lincoln's, they are nonetheless equally important for a better understanding of the war. Davis's rhetoric provides important perspective upon the values he used to persuade southerners and reveals the type of society that fostered and embraced such ideals.

Whether examining the war years or not, some recent works by historians highlight a few of the problems associated with analyzing Davis's rhetoric. William Cooper's biography, *Jefferson Davis, American* is richly detailed and critically acclaimed.[9] In many respects, Cooper gives the most thorough account of Davis's life, and his study has likely become the definitive biography of the Confederate president. Yet given the size and scope of his project, Cooper tends to utilize isolated quotes from Davis's speeches, with little close analysis of the rhetoric intended to lead, cohere, and inspire the Confederacy. Lengthy political speeches are frequently summarized in a few sentences, or a brief paragraph, without deeper analysis of the rhetoric, its motive, and its effectiveness. Cooper also tends to leave out those elements of Davis's rhetoric that do not fit with his thesis of Davis holding quintessentially "American" values of his time. Therefore, Cooper minimizes, or ignores, Davis's harsher rhetoric. For instance, in his brief summation of the speech in Jackson, Mississippi analyzed in this chapter, Cooper

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[8] David Potter "Jefferson Davis and Confederate Defeat" in *Why the North Won the Civil War*, ed., David Donald (Baton Rouge: Louisiana State University Press, 1960), 106, 104. Potter also famously speculated that, if the Confederacy and Union switched presidents, the South "might have won its independence." Quoted in ibid., 112.

[9] William J. Cooper, *Jefferson Davis, American* (New York: Alfred A. Knopf, 2000).

ignores Davis's blistering attacks on the Union, the Pilgrims, the traditions of the American past and even his racist views of northern whites—somewhat common sentiments among southern whites in the antebellum years.[10] Cooper, in effect, overlooks the often-virulent character of Davis's rhetoric at a relatively early stage in the war, well before Confederate officials considered their situation desperate.

Brian R. Dirck's comparative study, *Lincoln and Davis*, devotes closer attention to rhetoric. Dirck's larger goal is to decipher the way Davis "imagined" society as compared to Lincoln, frequently though analysis of rhetoric.[11] Dirck's close reading of rhetoric is insightful at points, and he does not overlook some of the more unsavory characteristics of Davis's speeches. In fact, Dirck's study is the very type of scholarship that could lead to a greater understanding of Davis and the Confederacy. But in the end, Dirck falls into the trap of allowing his overall theory of Lincoln and Davis to limit the analysis of their rhetoric. His conclusion that Davis was somehow more confident of his cause than Lincoln is simply not sustainable when matched against the rhetoric. Davis's rhetoric and private statements about the Confederate situation frequently contradict Dirck's argument. Moreover, his contention that "Davis was preaching to the choir" when he spoke to southerners is not sustainable.[12] Davis's rhetoric instead displays a central need to persuade a disparate group of listeners, many from vastly different classes and with imprecise concepts of what secession and southern independence meant when pursuing democracy through total war.

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[10] Ibid.,418-419. For the most important analysis of the cultural differences between the sections, see William F. Taylor, *Cavalier and Yankee* (New York: George Braziller, 1961), 15.
[11] Dirck's study fills a need for more comparative studies of Lincoln and Davis and pays greater attention to rhetoric. Dirck, *Lincoln and Davis*.
[12] Ibid.,204.

Harry Jaffa's *A New Birth of Freedom* also provides a brief comparative analysis of Davis and Lincoln through their rhetoric. Yet Jaffa devotes considerably less energy to Davis's rhetoric, so it lacks the detail and insight of his sections on Lincoln. Jaffa's main objective is to show Davis's flawed constitutional and philosophical views—points that are frequently well taken. But Jaffa's brief analysis of Davis does not proceed beyond the start of the war, while his much longer analysis of Lincoln continues throughout the war years. This highlights the central imbalance of the study, and largely ignores southern rhetoric and thought during the war years.[13]

The words Davis used in wartime deserve proper scrutiny. In the *Rise and Fall of the Plantation South*, historian Raimondo Luraghi observes: "War is the hardest test to which a given society is subjected. Every society meets this challenging strain in a way that is directly linked to its social, moral, ethical—in other words, its cultural—scale of values."[14] The rhetoric used to inspire and unify the South is an important, if frequently overlooked, source for examining the Confederacy's "cultural scale of values." With that in mind, this chapter investigates how Davis attempted to persuade a disparate coalition of white southerners at a key point in the Civil War by concentrating on his December 26, 1862 speech in Jackson, Mississippi.

The Jackson address was one of the most important speeches of the war for Davis, and subsequently for the Confederacy itself.[15] Davis traveled to Mississippi in late 1862 as part of a larger tour of the western Confederacy. But Confederate historian and

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[13] Jaffa, *New Birth of Freedom,* 153-236. Harry Jaffa, *Crisis of the House Divided* (New York: Doubleday, 1959) is a compelling exploration of the distinct arguments between Lincoln and Stephen Douglas during their 1858 debates.
[14] Raimondo Luraghi, *The Rise of the Plantation South* (New York: New Perspectives, 1978), 5.
[15] The Jackson speech was printed in both southern and northern newspapers. Historian William C. Davis noticed that the speech buoyed Confederate morale in Richmond when it was published in newspapers in early January. The January 14, 1863 *New York Times* ran the complete text of the speech.

Jefferson Davis biographer William Davis calls the Jackson address "the first clearly political speech to the public since taking office."[16] Given the political context, Jefferson Davis focused on many of the central concerns of the war effort and his own leadership. Davis delivered the speech in the Mississippi statehouse, with a large crowd of state legislators and visitors in attendance to greet one of the states' favorite sons who had spent his time in Richmond since his election as Confederate president the previous year. The situation in the state had radically changed in Davis's absence. The war was in its second year, and Union troops threatened the entire region. The state government struggled to feed, supply, and pay the militia. A sizable number of Mississippi planters sold cotton to the Union on the black market, openly disregarding the law and the Confederate cause. Some local observers worried about the lack of consensus in the state, and even General Grant—leading invasion forces in the West--detected a "pro-Union sentiment" around Vicksburg.[17] Critics in Mississippi and other western states charged that the Confederate government allocated disproportional resources for the defense of Virginia and the East, at the expense of the West. In that respect, the perception of geographical disparity also threatened southern consensus.

But the South faced military assault in every region. New Orleans had been captured, and Union troops or naval forces occupied parts of Virginia, the Upper South, and Atlantic coast regions. The Union blockade was beginning to cripple the Confederate economy and inflation spiraled higher. Countless slaves fled into the advancing Union lines, depriving the South of labor and assets, while sometimes working for and with the

[16] William C. Davis, *Jefferson Davis: The Man and His Hour* (New York: Harper Collins, 1991), 482.
[17] Grant quoted in Carleton Beals, *War Within a War* (Philadelphia: Chilton Books, 1965), 19.

invaders.[18] Meanwhile, the Confederate government still sought recognition from the European powers, without success. Davis and many southerners assumed recognition would lead to independence, but it was not forthcoming.

As Davis rose to speak at Jackson, the Confederacy seemed to be simultaneously empowered and imperiled. Davis learned of two news stories on his western tour that were crucial to the Confederate cause and affected the content and tone of his speech. Days before, the Army of Northern Virginia had inflicted a devastating blow on Union forces at Fredericksburg, another in a line of Confederate successes in the Old Dominion. But the report of victory at Fredericksburg was countered by news that France had rejected a proposal to sponsor a six-month armistice in the war.[19] The French diplomatic snub highlighted the failures of Confederate foreign policy, and came as a blow to the Davis Administration. As a result, Davis informed southerners during his Jackson speech that foreign assistance would probably never materialize—an unsettling piece of news in the bid for independence.

Union invasion forces swarmed throughout Mississippi and the West with the clear goal of capturing the Mississippi River and severing the Confederacy. In fact, Davis's very appearance in the area had much to do with the threat to the Mississippi River. Like other strategists, he considered control of the Mississippi River crucial to the Confederate war effort, and the future of southern nationalism. At various points in the speech, Davis discussed the military situation facing the Confederacy, including the centrality of holding onto the vital river port of Vicksburg.[20]

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[18] Ira Berlin, et al., *Slaves No More: Three Essays on Emancipation and the Civil War* (Cambridge: Cambridge University Press, 1992), 3-46.
[19] Hudson Strode, *Jefferson Davis: The Confederate President* (New York: Harcourt, 1959), 348.
[20] *Papers*, 8: 572.

Many observers and Confederate officials considered the West the Achilles heel of the rebellion. Not incidentally, those doubts started with Davis himself. On December 8, Davis wrote to Robert E. Lee that he was filled with "apprehension" about the situation in Mississippi and Tennessee because "the disparity between our armies and those of the enemy is so great..."[21] But while Davis worried from afar, officials in the region often characterized the situation in even worse terms. Observers noticed that the outnumbered Confederate troops lacked confidence and discipline, and many openly questioned the army's capacity to defend the region. According to Mississippi Senator James Phelan, the Confederate Army in the area was "in a most deplorable state" and lacked any faith in their military leaders. But Confederate officials worried about more than just the army. Discontent also spread in the civilian population. In a remarkable letter written earlier that December, Phelan warned Davis about morale and political consensus in Mississippi. In many respects, Phelan's letter set the agenda for the issues Davis addressed in Jackson. "The present alarming crisis, in this State," Phelan wrote, "so far from arousing the people, seems to have sunk them in listless despondency. The spirit of enlistment is thrice dead. Enthusiasm has expired to a cold pile of damp ashes. Defeats—retreats—sufferings—dangers, magnified by spiritless helplessnessº." Given the situation, Phelan urged Davis to travel to Mississippi because he felt only Davis' presence could save the state from falling into the hands of the Union army.[22]

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[21] Davis to Robert E. Lee, Richmond, Va., 8 December, 1862, in ibid., 533.

[22] James Phelan to Davis, Aberdeen, 9 December 1862, in *Papers*, 8:539-40; Phelan also wanted Davis to lead the army in battle, thinking it would arouse public sentiment: "I imagine but one event, that could awaken from its waning spark, the enthusiastic hopes and energy of Mississippians. Plant your own foot upon our soil,--unfurl your banner at the head of the army—tell your own people, that you have come to share with them, the perils of this dark hour—and appeal to every Missi/ssi/ppian, who is "not so base as be a bondsman."

Phelan's letter to Davis revealed many of the issues that rankled the region's white populace, irrespective of the fluctuating military situation. Those issues included conscription, the "20 negro law," and the perception that wealthy men in the area were avoiding military service through bribery and corruption. Phelan reported the "20 negro law" evinced "universal odium" among the citizenry, but the "influence upon the poor, is most calamitous; and has awakened a spirit, and elicited a discussion, of which we may safely predicate the most unfortunate results." Phelan even suggested subversive activity among southern whites, a circumstance that might well have been the Confederate government's worst-case scenario. "It has aroused a spirit of rebellion in some places, I am informed, and bodies of men have banded together to resist; whilst in the Army, it is said, it only needs some daring man to raise the standard to develope (sic) a revolt," Phelan wrote.[23] In Phelan's eyes, Yankee troops presented only part of the problem in Mississippi. Insurgency among poor whites was also a legitimate fear.

For his part, Davis recognized the problem of western morale even before he received Phelan's letter with its warnings of social hemorrhage. He referenced western morale in a letter to Robert E. Lee, sent while Union troops threatened the Confederate capital before the reversal at Fredericksburg. Despite the immediate threat to the capital, Davis told Lee he intended to travel to the West. "I propose to go out there immediately with the hope that something may be done to bring out men not heretofore in service, and to arouse all *classes* [italics added] to united and desperate resistance," he wrote.[24] As his words to Lee indicate, the class divisions that had arisen in the war effort were implicit in Davis's rationale for visiting Mississippi and the West. On a larger scale then, the

[23] Ibid., 542.
[24] Davis to Lee, Richmond, 8 December 1862, ibid.,533.

Jackson, Mississippi speech can be seen as an attempt to rally the populace and mute class and geographic distinctions in a society under siege.

But there is much more in the Jackson speech. Beyond an overwhelming desire to soften class divisions, and, in the process, advance an idealistic version of the good society, Davis's Jackson rhetoric reveals other major themes. These included a sustained attempt to vindicate his performance as president, a larger explanation of the internal and external political situation facing the Confederacy, and a recitation of the societal values that might strengthen southern consensus. Davis contrasted those idealized southern values with pernicious Union values.

Jefferson Davis's 1862 Jackson, Mississippi Speech

> We assess the property of the citizen, we appoint tax-gatherers; why should we not likewise distribute equally the labor, and enforce equally the obligation of defending the country from its enemies?[25]

Scholars have long speculated whether issues of class figured prominently in the ultimate demise of the Confederacy, without much close examination of the way leaders tried to both frame, and defuse, the issue.[26] Davis's speech at Jackson, rife with references to class structure and egalitarian principles, is predominantly aimed at poor and middle-class whites, those who—at least materially--had the least to gain in the

[25] Ibid.,568.

[26] For a brief assessment of Davis's trip to the West see Paul Escott, *After Secession: Jefferson Davis and the Failure of Confederate Nationalism* (Baton Rouge: Louisiana State University Press, 1978), 185-86. Escott touches upon the issues of class antagonism, but rarely shows how Davis tried to deal with the issues in his rhetoric. For an overall view of the southern class structure, see James L. Roark, *Masters Without Slaves: Southern Planters in the Civil War and Reconstruction* (New York: W.W. Norton, 1977), 1-67. For a local assessment of the antebellum and wartime class animosities, see Steven Hahn, *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850-1890* (New York: Oxford University Press, 1983), 15-133. For a broad assessment of the Confederate move for independence see Emory M. Thomas*, The Confederate Nation, 1861-1865* (New York: Harper and Row, 1979).

conflict. In his rhetoric, Davis labored to reverse the popular perception of class privilege in the Confederacy.

It has been said that it (Confederate law) exempts the rich from military service, and forces the poor to fight the battles of the country. It is the poor who save nations and make revolutions. But is it true that in this war the men of property have shrunk from the ordeal of the battle-field? Look through the army; cast your eyes upon the maimed heroes of the war whom you meet in your streets and in the hospitals; remember the martyrs of the conflict; and I am sure you will find among them more than a fair proportion drawn from the ranks of men of property.[27]

Davis's rhetoric highlights the shared burdens of all southern classes during the war, and the shared advantages to be won from independence. To gain those advantages, he stresses that all white southerners are necessary for a successful war effort, and repeatedly attempts to allay the notion that poor men are doing a disproportionate share of the fighting. Davis contends that the sacrifices of war transcend class and that both rich and poor are sacrificing for the war effort. And despite his defense of the slaveholders who own "property," he nonetheless links the ultimate fate of the Confederacy to slaveless whites—the poor. He contends that slaveholders and non-slaveholders are united in the cause, but that poor whites hold the balance of power in this "revolution." Davis's appeal appears to be crafted in response to the problems in Phelan's letter related to the resentments of the poor, particularly his contention that the public would be "startled" by "*prominent, rich* and *influential* men being swept into the ranks."[28] To further his argument about the shared burdens of the war, Davis contends

[27] *Papers*, 8:569.
[28] Phelan to Davis, Aberdeen, 9 December 1862, Ibid., 542.

that the wealthy are a product of a democratic southern society and deserve no animosity from others:

> As I have already said, we have no cause to complain of the rich. All of our people have done well; and, while the poor have nobly discharged their duties, most of the wealthiest and most distinguished families of the South have representatives in the ranks men of the largest fortune in Mississippi are now serving in the ranks.

Davis's rhetoric specifically places upper class men in the most democratic context, within the ranks of the army. And within the ranks, men are on equal footing, whether they come from a "distinguished" or "poor" family. Countering the public skepticism about military service that Phelan reported, Davis sees all of southern society functioning as an egalitarian unit in the institution that mattered most, the Confederate army. Davis contends that the Confederate army unites all southerners, and differences in class are immaterial to the war effort. He notes that the poor have served "nobly," but so have the rich. As proof of this contention, Davis cites the case of a prominent Mississippi politician who did a "sentinel's duty" in the army before he was sworn in as a Congressman. He claimed that type of service—even among the politically connected--was not "a solitary instance."[29] Davis's contention is valid given that several prominent southern families had sons who enlisted in the Confederate Army. Nevertheless, the mixing of the South's upper and lower classes in the Confederate ranks was not without its challenges, and it is unclear how common it was for the wealthy to serve as enlisted soldiers in the army.[30] Phelan's comment that the populace would be "startled" by wealthy and influential men being sworn into the ranks might well have been more indicative of the realities of Confederate military service.

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[29] Ibid., 569.
[30] Roark, *Masters Without Slaves*, 59-61.

In his desire to deflect the perception among poor southerners that the rich were not sharing equally in the burdens of the war, Davis presented a logical argument concerning the southern move for independence. He explained: "The men who stand highest in this contest would fall the first sacrifice to the vengeance of the enemy in the case we should be unsuccessful. You may rest assured then for that reason if for no other that whatever capacity they possess will be devoted to securing the independence of the country." In other words, the wealthy, prominent, and politically connected are fighting because self-preservation requires it. If the rich shirked their duties, it would go against their personal and financial self-interest. Nevertheless, Davis stressed that self-interest as the last resort. More often, he portrayed the Confederacy more idealistically.

> Our government is not like the monarchies of the Old World, resting for support upon armies and navies. It sprang from the people and the confidence of the people is necessary for its success.[31]

Davis stresses the democratic aspects of the rebellion, and contrasted it with other hierarchical forms of governments. In his words, the government originated among "the people," not an Old World aristocracy, or, as some historians have argued, some kind of hierarchical or paternalistic society in the South.[32] Davis portrays the Confederate government as non-hierarchical and dependent upon common citizens for validation. At the same time, he refutes any notion that upper-class southerners sought to replicate aristocratic European values.

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[31] Both quotes from *Papers*, 8:574.

[32] Eugene Genovese is perhaps the most prominent proponent of the ethos of paternalism among southern planters. Genovese's influential interpretation explains how the planters devised a sophisticated paternalistic worldview that sustained their economic, political and social interests as slaveholders in a type of prebourgeois hierarchy. See for example, Eugene Genovese, *The Political Economy of the Slavery: Studies in the Economy and Society of the Slave South* (New York: Vintage, 1967); Eugene Genovese, *The World the Slaveholders Made: Two Essays in Interpretation* (New York: Panthoen, 1969); Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage, 1975).

Perhaps Davis's largest hurdle in overcoming class divisions in southern society was the "twenty negroes act," a provision the Confederate government enacted months before his speech. The controversial legislation essentially exempted white men from the Confederate Army who owned twenty or more slaves. Proponents justified the bill on the grounds there needed to be enough white men on hand to discipline slaves and avoid servile insurrections as the war progressed. But the bill quite naturally became a rallying cry for those who believed the conflict was "a rich man's war, but a poor man's fight." Senator Phelan had earlier cited the bill as the most divisive issue in the region, with poor whites in open rebellion about the measure. Any statement on the issue might be considered politically dangerous and volatile, but Davis addressed the issue because of the damage the measure had on southern morale.

The object of that portion of the act which exempts those having charge of twenty or more negroes, was not to draw any distinction of classes, but simply to provide a force, in the nature of a police force, sufficient to keep our negroes in control. This was the sole object of the clause.[33]

When confronted with such a stark example of his administration's privileging of large slaveholders, Davis needed to address the obvious class implications of the measure. He defends the "twenty negro" provision as a necessary measure, while trying to downplay its larger class implications. He portrays the beneficiaries of the military exemption—the wealthiest planters--as civic-minded defenders of southern society, not idle rich men. In his explanation, the provision becomes an issue of societal order,

[33] *Papers* 8:569.

instead of class privilege. Wealthy plantation owners were a police force, not shirkers attempting to sustain profits in wartime.

Read in the context of nineteenth-century southern society, Davis's justification for the "twenty negro" provision is also laced with fear. To trump the fact that the wealthy benefit from the bill, his rhetoric plays upon the racial fear that most white southerners inherently understood. Whites were potentially vulnerable with millions of slaves living among them, especially when the war marked a steady decline in plantation discipline. As Davis bluntly explains, a force was needed to "keep our negroes in control." Large slaveholders therefore enforced the racial social order, which was a vital component of the South's bid for independence. There is no small amount of irony in Davis's argument, particularly as a leader who spent the antebellum years defending slavery as a benevolent force and the slaves as passive and content. Davis thus voices the South's incongruous feelings about their peculiar institution. Despite his, and other defenders' talk of the social good in the institution, there was still the overarching fear of insurrection among the slave population. The fear of insurrection only grew as the war took more white men away to fight.[34] The "twenty negro" provision forced Davis to address issues of class and race in southern society in particularly telling manner. Like other southern leaders before and since, Davis attempted to defuse a difficult class issue by resorting to a racial fear appeal.

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[34] Historian George M. Frederickson has argued that the South's social structure premised upon black slavery shaped the entire trajectory of the Confederate war effort and specifically military tactics. He writes: "But a more likely explanation for the southerners' refusal to revert to partisan war was their awareness of what effects such a policy would have on their social system. Above all things, southerners feared loss of control over the black population; their ultimate nightmare was a black uprising or 'race war.'" George M. Frederickson "Blue Over Gray" in *A Nation Divided*, ed. George M. Frederickson (Minneapolis: Burgess Publishing Company, 1975), 79.

While Davis attempted to explain the practical benefits of the "twenty negroes" provision he also repeatedly turned to defending himself. Davis frequently bristled at critics during the course of the war, and the Jackson speech reflects such criticism. Nevertheless, the Jackson speech is extraordinary because it came in the wake of newspaper reports from the region that Davis might have ordered workers on his Mississippi plantation to save his cotton crop, while other planters in the region had their harvest burned by government officials.[35] To some, this confirmed that the burdens of the war were not equally distributed, especially when it appeared even the president refused to make personal sacrifices for the Confederate cause. Davis pointedly denied the charges about his cotton crop, but the accusation was probably still on his mind when he spoke at Jackson that December.[36] That might explain a rather striking feature about the rhetoric, specifically the amount of time Davis spoke about himself. Davis used the first person an inordinate amount, even for one occasionally trying to sound humble. For example, the following passage opens the speech at the Mississippi statehouse (self references are highlighted):

> After an absence of nearly two years **I** again find **myself** among those who, from the days of **my** childhood, have ever been the trusted objects of **my** affections, those for whose good **I** have ever striven, and whose interest **I** have sometimes hoped **I** may have contributed to subserve. Whatever fortunes **I** may have achieved in life have been gained as a representative of Mississippi, and before all, **I** have labored for the advancement of her glory and honor. **I** now, for the first time in **my** career, find **myself** the representative of wider circle of interest.[37]

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[35] For a brief explanation on the failure of the Confederate cotton policy, see David Potter, "Jefferson Davis and Confederate Defeat," in *Why the North Won the Civil War,* 95-98.
[36] Davis telegram to C.R. Dickson, Jackson, Mississippi, June 12, 1862, in *Jefferson Davis Constitutionalist: His Letters, Papers and Speeches,* vol. 5, ed. Dunbar Rowland (Jackson: Mississippi Department of Archives and History, 1923), 274.
[37] *Papers*, 8:565.

This opening passage highlights Davis's trait of speaking about himself, and his subsequent need to justify himself, his actions and policies. It is easy to imagine that Davis still had those questions about his personal integrity in mind, aside from larger political issues or the Confederacy's geographical tensions. Nevertheless, Davis's use of the first person continues throughout the speech, and it appears almost reflexively in his rhetoric. Davis even suggests that he bore witness to Yankee war atrocities, an assertion his biographer William C. Davis suggests he fabricated.[38] This habit is indicative of someone wrestling with his self-confidence and ego, while at the same time reflecting a need to defend his personal integrity and professional conduct in the face of criticism.[39] Davis presents himself as a model for the type of sacrifice and service the Confederacy needs from all white male citizens. Far from benefiting from the war, as some local reports had charged, Davis highlights his tremendous personal sacrifice for the cause. He painstakingly explains that his first desire was to lead the Mississippi brigades in battle "and to be with them where danger was to be braved and glory won." Only higher duty prevented that desire for military glory. "But it was decided differently," he said to explain why he was not serving militarily: "I was called to another sphere of action (the presidency). How, in that sphere, I have discharged my duties and obligations imposed on me, it does not become me to constitute myself the judge. It is for others to decide that question."[40] In this respect, Davis insists he desired military service but was "called" to be Confederate president by others. His use of the passive voice makes him appear less eager for political power, and perhaps less open to criticism. He also offers his audience

[38] Davis, *Jefferson Davis, The Man and His Hour*, 486.
[39] Historian Mark Neely contends there is a need for a psychological study on Davis. See "Abraham Lincoln vs. Jefferson Davis: Comparing Presidential Leadership in the Civil War" in *Writing the Civil War,* 98-99.
[40] *Papers*, 8:565, 566.

a rhetorical question about his performance as president while indirectly referencing the critics of his administration—those "others" who might judge him. But it is apparent the scrutiny and criticism affected him, while showing his insecurity as a leader.

Davis likewise argued that he suffered undue personal criticism but bore the indignity to aid the larger war effort. Faced with political criticism, he felt a "struggle between the desire for justice and the duty not to give information to the enemy." As he explains, answering political criticism might be "injurious to the safety of the cause" because it could reveal Confederate strategy. In this regard, Davis compares himself to his late friend, the often-criticized Confederate General Sidney Johnston, who had been killed in battle earlier in the war. Davis argues that Johnston suffered "the finger of scorn" from southerners rather than betray the "paucity of his numbers."[41] Nevertheless, Davis continued to manifest insecurity while he analogized his self-sacrifice to that of Johnson, who like other Confederate dead, had became a "martyr" for the cause.[42] Beyond that, Davis's rhetoric suggests his critics were ignorant maligners who had no sense of the larger cause. In his words, critics circulated "misrepresentations" and to correct their "errors" would harm the Confederacy. Nevertheless, while Davis broadly characterized his critics as misguided, it is just as obvious he did not simply ignore the erroneous criticism, because the attacks touched him in his "heart." Perhaps the southern concept of honor lurks within this argument insofar as Davis responds to criticism he ostensibly ignores for the larger cause. It appears an awkward attempt to refute his critics while simultaneously remaining above the political fray.

[41] Ibid., 574.
[42] Ibid., 572, 575.

Oddly enough, Davis's need to justify himself in the speech at Jackson even stretched back to his views on the origins of the conflict. He explained that he had the foresight to see the conflict coming long before the war began. "At the time of which I speak, the question presented to our people was "will there be war!" This was the subject of universal speculation," he recalled. Having brought up the pre-war debate, Davis puts himself among the enlightened: "I was among those who, from the beginning, predicted war as the consequence of secession, although I must admit that the contest has assumed proportions more gigantic than I had anticipated."[43] Davis's claim to foresight about the impending war was essentially correct, if slightly oversimplified. As chapter 3 explains, Davis's pre-war rhetoric changed from either conciliatory or confrontational, depending upon the time, locale and situation it was spoken. Nevertheless, in the fall of 1858, four years before this particular speech, Davis stood in the same building, speaking before the Mississippi legislature, and tried to explain away comments many in the South viewed as pro-Union, or perhaps even questioning a state's right to secede. But in December 1862, nearly two years into the conflict, he desired that the record show he saw war coming all along. Why was it important to him? Even today, with the benefit of time and countless studies on Davis, it is hard to imagine why he felt the need to justify himself on such a point. More pressing issues weighed on the Confederacy, but Davis apparently wanted the record to show his foresight, despite the fact war "assumed proportions more gigantic than [he] had anticipated."[44]

Davis showed more creativity when he defended the thorny issue of conscription. The South's commitment to states rights and individual liberties for white men seemed to

[43] Ibid., 566.
[44] Ibid., 566.

go against the very premise of conscription, and several governors brought up this philosophical discrepancy in questioning the Confederate policy. Conscription was, of course, as essential for the Confederate cause as it was unpopular. Davis's strategy, therefore, was to move the onus of the bill from government to those fighting in the Confederate Army. In his rhetoric, to argue against conscription is to harm the soldiers already fighting.

> They answered that they were willing to stay, that they were willing to maintain their position and to breast the tide of invasion. But it was not just that they should stand alone. They asked that the men who had stayed at home—who had thus far been sluggards in the cause—should be forced, likewise to meet the enemy. From this, resulted the law of Congress, which is known as the conscription act, which declared all men, from the age of eighteen to the age of thirty-five, to be liable to enrolment in the Confederate service. I regret there has been some prejudice excited against the act, and that it has been subjected to harsher criticism than it deserves.

The call for conscription came from the soldiers on the front lines, Davis argues. And as he noted before, those fighting men were comprised of all classes. Davis first praises the volunteers who agreed to reenlist in the army, and then traces the call for conscription to those already fighting. Davis's support for conscription, therefore, sounds like a simple recognition of the demands of the fighting men themselves. With this rhetorical maneuver, Davis attempts to mask the Confederate government's mandatory policy on conscription. In the process, he makes opposing the policy tantamount to disloyalty to the fighting men.

Despite his use of the fighting men as cover, Davis's overall views on conscription were conflicted. For instance, he originally labeled those who had not yet volunteered in the armed forces "sluggards" in the cause for freedom, but soon after

attempted to reinforce conscription policy and de-stigmatize those forced into the army by law:

> And here I may say that an erroneous impression appears to prevail in regard to this act. It is no disgrace to be brought into the army by conscription. There is no more reason to expect from the citizen voluntary service in the army than to expect voluntary labor on the public roads or the voluntary payment of taxes. But these things we do not expect. I repeat that it is no disgrace to any one to be conscribed, but it is a glory for those who do not wait for conscription.[45]

Having referred to them as "sluggards," Davis's subsequent defense of those drafted into the army rings hollow. After first claiming the policy was misunderstood by the public, Davis's rhetoric on conscription also reflects various sentiments, including latent concerns about civil liberties and concepts of limited government that the policy seems to ignore. On a structural level, Davis seemed to be searching for the words that might defuse the issue of conscription, without much success. Davis's rhetoric also necessarily treads a fine line between defending his policy on conscription and not impugning the character of those conscripted. His rationale for traveling to the West presumed there were "sluggards" about, but at the same time he insists the draftees not feel inferior because of their status. As Phelan and others realized, army morale was dubious, and Davis did not want to damage it further. Oddly enough, however, Davis appears to trivialize conscription when he equates it to taxation and public sector labor. These functions are widely different from endangering or sacrificing one's life, and to imply they were similar appears to strengthen the argument of those who resisted conscription. This is a pointed example of the difficult challenges of the Confederate government, and an issue handled poorly in his speech.

[45] Both quotes, ibid., 568.

In addition to easing tensions within the Confederacy, Davis had to provide principles worth the costs of war. He also needed to instill hope as he and the South recognized the increasingly "gigantic" proportions of the conflict. Two issues put a severe drag on the Confederate war effort, which makes Davis's rhetoric on those points all the more intriguing. One issue was an internal philosophical matter, while the other was in the field of foreign affairs.

Internally, one of the most complicated problems in the bid for secession was the urgent need for a strong centralized government to carry out the war effort against the larger population and overwhelming industrial capacity of the North. Some scholars have noted that the Confederacy took bigger steps towards a strong central government than the Union, a point that highlights some of Davis's policy successes.[46] But these "successes" could hardly be trumpeted since they so strongly contradicted the South's commitment to localism and states' rights, themes that Davis championed throughout his life. Davis and the Confederate government were therefore treading on sacred ground when the needs of the central state run up against the domain of the state governments. There is, consequently, an inherent tension between the Confederate and state governments that swirls throughout the speech. This is magnified by the conflict between those who saw Confederate resources disproportionately benefiting Virginia and the East at the expense of the West and lower South.

Davis's rhetoric struggles with these tensions. He begins his speech--delivered to fellow Mississippians— with rather customary paeans to his home state. Southern audiences might well expect such words, given the primacy of state government in the

[46] See Emory M. Thomas, *The Confederacy as a Revolutionary Experience* (Englewood Cliffs, N.J.: Prentice-Hall, 1971), and Richard Benzel, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877* (New York: Cambridge University Press, 1990), 233-236.

political culture. Davis was ostensibly committed to states' rights, so he claims to value the interests of Mississippi above all others while at the same time representing a "wider circle of interest." But these sentiments also point to the relatively limited powers of his position as Confederate president. These weaknesses are apparent when Davis apologizes for voicing his opinion on state legislation, even when those issues influenced the central government. "I hope," he told the legislators, "I shall not be considered intrusive for having entered into these details. The measures I have recommended are placed before you only in the form of suggestions, and, by you, I know shall not be misinterpreted." Davis, it appears, can only make suggestions to the state lawmakers in the audience and prevail upon them to see the benefit for the entire Confederacy. Of course, there is also the need for the Confederate government to pass off more expensive provisions to the states.

One measure Davis supported was a proposal to aid Mississippi's war widows and orphans, a measure that might seriously improve army morale. "Let this provision be made for the objects of his affection and his solicitude," Davis said, "and the soldier engaged in fighting the battles of his country will no longer be disturbed in his slumber by dreams of an unprotected and neglected family at home."[47] The middle and lower classes--those without significant savings--were more likely to be concerned about public support for widows and orphans, so this was the type of legislation that might garner goodwill among the various classes. The other bill Davis addressed was a proposal to enlist men into the state reserves who were previously exempted from Confederate conscription.[48] Davis remained noncommittal about the reserve bill, but gave his whole-

[47] *Papers*, 8: 565,570, 569.
[48] Davis's answer might be described as typically political. He sounded like he endorsed both the pro and

hearted endorsement for the widow's provision bill. Nevertheless, the larger issue is that Davis refused to act on these issues at the national level.[49] He therefore put the responsibility on the state for functions that had direct bearing on Confederate military policy. It is impossible to tell from his rhetoric whether Davis believed the state government held the proper authority for such actions, or if it was more a matter of convenience for the Confederate government not to assume these duties. The possibility existed that any national legislation could precipitate more infighting with the states. Davis again walked a fine line between the authority of the central and state governments.

Confederate conscription policy exacerbated the tensions between the states and the government in Richmond like no other issue. The process of enlisting men spurred many new questions about governmental responsibilities and lines of authority that were often left unresolved. Senator Phelan reported that the process of conscription in Mississippi and Alabama was a "mere farce" and "an utter failure." He particularly criticized the Confederate enrollment agents' lack of structure and authority.[50] Davis's words reference the confusing balance of power of between the state and national government.

> I may say here that I did not expect the Confederate enrolling officers to carry on the work of conscription. I relied for this upon the aid of the State authorities. I supposed that State officers would enroll the conscripts within the limits of their respective States, and that Confederate officers would then receive them in camps of instruction. This I believe to be the policy of your Governor's arguments. We cannot too strongly enforce the necessity of harmony between the Confederate Government and the State Governments. They must act together if our cause is to be brought to a successful issue. Of this you may rest assured, whatever the

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[49] See especially Escott, *After Secession*, 256-274.

[50] Phelan letter to Davis, *Papers* 8, 541, 542.

> Confederate government can do for the defense of Mississippi will be done. I feel equal confidence that whatever Mississippi can do will likewise be done.[51]

Davis's doubts about the mechanisms of conscription highlight the lack of cohesion and communication between the central and state governments. There are shades of gray in Confederate policy, and Davis's words reflect those areas. Conscription and other policies muddled the lines of authority in the Confederacy. But in his words there is also an unmistakable plea for harmony between the Confederate and state governments, a foreshadowing of the deteriorating relationship as the war continued. Davis laces his plea for unity with stronger imagery:

> But let it never be said that there is a conflict between the States and the Confederate government, by which a blow may be inflicted on the common cause. If such a page is to be written on the history of any State, I hope that you, my friends, will say that that State shall not be Mississippi.[52]

By voicing these concerns, Davis's speech reflects the unease in the relationship between the Confederate and state governments. While his rhetoric might well have sounded friendly towards fellow Mississippians, there is an unmistakable note of warning in his words. As the war progressed, Davis's fears concerning a rift between the Confederate and state governments came to pass. In the process, there was an unmistakable "blow inflicted on the common cause." Looking at Davis's rhetoric at this point in the war, it is obvious he was not taken off guard by later developments. At this relatively early point in the war, he is working to deflect emerging difficulties.

International politics was another pressing issue for the Confederate government, and Davis's Jackson speech marked a significant admission about foreign assistance in

[51] Ibid., 572-3.
[52] Ibid., 570.

the conflict. Since the beginning of the war, southerners, believing that "cotton is king," had hoped for, and expected, European recognition. Southerners hoped that foreign recognition might include financial and military aid in the war for independence, and Britain and France were considered the most likely allies because of their commercial ties to cotton, most of which was grown in the American South.[53] Yet the European nations remained neutral, reluctant to enter a civil war where slavery was the central issue. Davis received word shortly before his speech that France had again refused to unilaterally sponsor an armistice, which damaged the Confederacy's prospects for international recognition. Davis, for the first time, informs southerners that they will likely fight the enemy without outside assistance:

> In the course of this war our eyes have been often turned abroad. We have expected sometimes recognition and sometimes intervention at the hands of foreign nations, and we have had a right to expect it. Never before in the history of the world had a people for so long a time maintained their ground, and showed themselves capable of maintaining their national existence, without securing the recognition of commercial nations. I know not why this has been so, but this I say, "put not your trust in princes," and rest not your hopes in foreign nations. This war is ours; we must fight it ourselves, and I feel some pride in knowing that so far we have done it without the good will of anybody.

Davis's rhetoric reflects both disappointment, and a certain resolve—a call for unilateral action. It is worth noting, however, that while Davis informs his audience not to expect foreign intervention, there remains a chance that "France, the ally of other days, seems to hold out to us the hand of fellowship. And when France holds out to us her hand, right willingly will we grasp it."[54] Despite the setback on the armistice, Davis still hopes to replicate the alliance that led to the success of the American Revolution. He attempts to rally southerners with his appeal to individualism, and that the Confederacy might join

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[53] Frank Owsley, *King Cotton Diplomacy: Foreign Relations of the Confederate States of America* (Chicago: University of Chicago Press, 1959); Cooper, *Jefferson Davis*, 336.
[54] *Papers*, 8:576.

other commercial nations, while expressing optimism about the prospect of foreign aide in the future.

Scholars have long noticed that northerners and southerners alike tried to claim the legacy of the American Revolution during the Civil War.[55] So it is not surprising that Davis's Jackson speech has several references to the Founding Fathers and Revolutionary ideals. Nonetheless, it is interesting to note that nearly a year before Lincoln referred to "consecrated" ground at Gettysburg, Davis used the expression in the Jackson speech. The major difference is that Davis's use of the word is more discriminating. Whereas Lincoln honored all soldiers at Gettysburg, Davis praises only the Confederate dead who "consecrated" the ground of the South.[56] In honoring the dead, Lincoln and Davis used a word that has unmistakable religious imagery. But Davis conspicuously goes beyond Lincoln's religious imagery in saying that the Confederate dead honored the founders and became "martyrs" to liberty. In that respect, there is an underlying religious tone in his appeal to the founders.

With its frequent references to "liberty," Davis's rhetoric consciously evokes the rhetoric of the American Revolution. For a society considered so conservative and elitist, Davis's rhetoric stresses an egalitarian vision of the good society for southern whites. His rhetoric speaks to classical liberal concepts of democratic and market values. It puts a premium on personal freedom and ubiquitous notion of "liberty." Davis, in fact, attempts to portray the South as the sole repository for civil liberties like freedom of

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[55] For examples, see Andrews, "Oaths Registered in Heaven," in *Doing Rhetorical History,* 95-117. Andrews shows how both Lincoln and Davis attempted to invoke the Revolution in their inaugural rhetoric; Jaffa, *A New Birth of Freedom*, 186-236; William J. Cooper, *Liberty and Slavery*: *Southern Politics to 1860* (New York: McGraw-Hill, 1983), Prologue, 257, 267-68, 282-85; See also Cooper, *Jefferson Davis, American*. Much of Cooper's biography explains that Davis insisted that he fought to uphold what he considered "American" values of his time.

[56] *Papers*, 8:571

speech, freedom of the press, and *habeas corpus*. He claims the Union has destroyed the democratic values of the Founding Fathers, values that only southerners upheld.

> Those men who now assail us, who have been associated with us in a common Union, who have inherited a government which they claim to be the best the world ever saw—these men, when left to themselves, have shown that they are incapable of preserving their own personal liberty. They have destroyed the freedom of the press; they have seized upon and imprisoned members of State Legislatures and of municipal councils, who were suspected of sympathy with the South. Men have been carried off into captivity in distant States without indictment, without a knowledge of the accusations brought against them, in utter defiance of all rights guaranteed by the institutions under which they live. These people, when separated from the South and left entirely to themselves, have, in six months, demonstrated their utter incapacity for self-government.

Davis also contends that even before secession the Union "had grown rich from the taxes wrung from you for the establishing and supporting their manufacturing institutions."[57] Here, he voices a popular complaint of the antebellum South, and it is likely no coincidence these charges sounded so similar to the rationale for the American Revolution. But as the following chapters demonstrate, these messages about the Founders had always been part of his rhetoric.

By way of transference, Davis also makes the case that the southern vision of society is completely different from that of the North. In his rhetoric, southerners are rational, with a strong sense of the law and a fondness for the Constitution. He reminds his audience about the argument for secession, justifying the South's decision to leave the Union as "clearly defined in the spirit of that declaration which rests the right to govern on the consent of the governed." Unlike Lincoln and the abolitionists who saw the Declaration as a call for natural rights and equality, Davis uses the document as the ultimate justification for local rule, states' rights and secession. Davis used this same

[57] Ibid., 573-4, 567.

argument about the Declaration in his pre-war rhetoric, and it formed a key part of his first inaugural as Confederate president in February 1861.[58] Having legally justified the Confederate cause by the very standards of American independence, Davis argues that northerners drove the South to secede.

> And yet, such was the attachment of our people for that Union, such their devotion to it, that those who desired preparation to be made for the inevitable conflict, were denounced as men who only wished to destroy the Union. After what has happened during the last two years, my only wonder is that we consented to live for so long a time in association with such miscreants, and have loved so much a government rotten to the core.

In Davis's view, the North forced a reluctant, but wholly justified secession. Moreover, a "rotten" government became even more depraved after the South separated from the North. But Davis also characterized the declension of the Union as a natural process, because the propensity for self-government was itself based upon race:

> Our enemies are a traditionless and a homeless race; from the time of Cromwell to the present moment they have been disturbers of the peace of the world. Gathered together by Cromwell from the bogs and fens of the North of Ireland and of England, they commenced by disturbing the peace of their own country; they disturbed Holland, to which they fled, and they disturbed England on their return. They persecuted Catholics in England, and they hung Quakers and witches in America.[59]

This apparent reference to the Puritans seeks to extinguish any loyalty towards the common union that remained. But along with giving voice to a myth about the "characteristics of the Northern people," Davis supposes that southerners alone possessed the capacity for the self-government envisioned by the Founders. According to Davis, the Puritans of New England had never practiced religious toleration, so it was no surprise they then sought the destruction of other liberal values such free markets and

[58] Ibid., 566. *Jefferson Davis, Constitutionalist* 5, 50.
[59] *Papers,* 8:567.

self-government. Northerners aimed for the destruction of self-government and a return to despotism.

Davis's rhetoric depicts the Confederacy as a bastion of self-government, and a land where men are free to pursue property and wealth. He envisions the Confederacy "securing the recognition of commercial nations," and protecting the rights of men of all classes. Davis also proposes that southern society should "distribute equally the labor, and enforce equally the obligations" of the nation. He describes a progressive government, one that secures liberties and economic opportunities. In this vein, he speaks of the "industry of the country" and "avocations" that "might be more profitable to the country and the government." Davis stretches this point and suggests that southern industry will lead to self-sufficiency: "The articles necessary for the support of our troops, and our people, and from which the enemy's blockade has cut us off, are being produced in the Confederacy. Our manufactories have made rapid progress."[60] Despite the fact that he was a wealthy planter, Davis suggests that industrial capacity would be the saving grace of the Confederacy.

Davis also presented traditional American property rights as a central issue of the war. He asks the audience rhetorically: "Will you consent to be robbed of your property; to be reduced to provincial dependence; will you renounce the exercise of those rights with which you were born and which were transmitted to you by your fathers?" Davis provided his own answer, saying that southerners' "interests" required that sacrifices be made for the cause.[61] In Davis's words, the war threatens southern property and wealth. Perhaps it is not surprising that Davis's blueprint for victory rested on commerce.

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[60] *Papers,* 8:576, 568, 568; 569, 579.
[61] Ibid., 574.

> Hold the Mississippi river, that great artery of the Confederacy, preserve our communications with the trans-Mississippi department, and thwart the enemy's scheme of forcing navigation through to New Orleans. By holding that section of the river between Port Hudson and Vicksburg, we shall secure these results, and the people of the West, cut off from New Orleans, will be driven to the East to seek a market for their products, and will be compelled to pay so much in the way of freights that those products will be rendered almost valueless. Thus, I should not be surprised if the first daybreak of peace were to dawn upon us from that quarter.[62]

Davis envisioned the North fracturing and the South becoming the commercial hub for the West. To Davis, commercialism and market values are an essential component of the Confederate future, particularly as a means of fracturing the East-West coalition that aligned against the South.

Beyond market values, Davis's vision for the South is that of a democratic society based on law, with shared opportunities and shared responsibilities. "Ours is a representative government, and it is only through the operation of the law that the obligations toward it can be equally distributed," he said. Nonetheless, Davis warned his audience that, even beyond the current conflict, southerners might experience continued hostilities in the years to come. Davis projected that the South might face a perpetual state of war because "peace between us and our hated enemy will be liable to be broken at short intervals for many years to come." He argues that there will be a need for "continued preparation and unceasing watchfulness." Davis therefore proposes a society to be protected by a democratic army, an extension of the war effort.

> We have but few men in our country who will be willing to enlist in the army for a soldier's pay. But if every young man shall have served for two or three years in the army, he will be prepared when war comes to go into camp and take his place in the ranks an educated and disciplined soldier. Serving among his equals, his friends and neighbors, he will find in the army no distinction of class. To such a system I am sure there can be no objection.[63]

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[62] Ibid., 577.
[63] All quotes ibid., 573.

In a sense, Davis argues that long after independence, the army would act as a social leveler, further confirming the democratic tradition of the Confederacy, while at the same time defending individual liberties.

The democratic society Davis proposed was premised upon the institution of slavery, and generally assumed a domestic sphere for women. In particular, Davis's rhetoric on slavery belies the feelings of a man who defended the benevolence of the institution all his life. Enslavement was the reality that Davis depicted as the worst of fates.

> The issue before us is one of no ordinary character. We are not engaged in a conflict for conquest, or for aggrandizement, or for the settlement of a point of international law. The question for you to decide is, "will you be slaves or will you be independent?" Will you transmit to your children the freedom and equality which your fathers transmitted to you or will you bow down in adoration before an idol baser than ever was worshipped by Eastern idolators? Nothing more is necessary than the mere statement of this issue.[64]

Davis's rhetoric makes the very thought of giving up slavery to become white slaves itself immoral—a form of paganism. There was no more central feature to the conflict than the fact that northerners sought to make white southerners "slaves," a condition all southern whites knew well to avoid. His central question—if southerners will be made slaves--is indicative of southern views of the institution.[65] Nevertheless, the fact that Davis courted foreign recognition among European nations with vocal anti-slavery movements likely ensured that he specifically did not elaborate on the subject of slavery in this speech. Davis instead makes veiled references to slave insurrection, particularly in defense of the "twenty negroes" provision, and to the defense of property, which during

[64] Ibid.
[65] Cooper, *Liberty and Slavery*, 30-39.

an invasion could include slaves or material possessions. Beyond that, Davis generally attempts to ignore the larger implications of the institution at the heart of the conflict.

Davis's rhetoric addressed white women in two ways, both important in his vision of the ideal southern society. First, Davis urges women to play an active role in the Confederate war effort by encouraging, or demanding, that men fight to preserve the South. He also asks that southern white women support the Confederacy's morale, especially by their influence over men:

> We want public opinion to frown down those who come from the army with sad tales of disaster, and prophesies of evil, and who skulk from the duties they owe their country. We rely on the women of the land to turn back these deserters from the ranks.

With this type of rhetoric, Davis seeks to enlist women into the Confederate war effort as the arbiters of public opinion and as agents who have the power to control those men who "owe their country" military service. There is no small irony in the fact that Davis's vision of a democratic society, as seen in this message to women, rests upon the suppression of dissent whenever it threatens public morale. Perhaps more importantly, Davis addresses women directly on political matters, something his rhetoric from the antebellum era does not.

But Davis's rhetoric also uses southern white women symbolically, as a rallying cry for the war effort. For example, in a list of "horrors" perpetrated by the opposition, Davis maintained: "Delicate women have been insulted by a brutal soldiery and forced to even to cook for the dirty Yankee invaders." To be sure, Davis's rhetoric betrays some class bias insofar as most poor and middling white women likely already cooked. But beyond contending that men "owe" the Confederacy military service, Davis calls on all honor-bound white men to defend "delicate" southern white women, and "mother

Mississippi," the feminized soil of the region. Davis also suggests that assisting widows and children would improve the morale of the fighting men, whose dreams are "disturbed" by concerns for their families. Davis also symbolically linked southern white women's beauty with their sacrifice for the Confederate cause. He said: "I never see a woman dressed in home spun that I do not feel like taking off my hat to her; and although our women never lose their good looks, I cannot help thinking that they are improved by this garb."[66] As this rhetoric suggests, southern white women shared the burdens of the war, and they implicitly had a stake in the conflict. When Yankees insulted the women of the South, forcing them into tasks, like cooking, that Davis found unacceptable for a white woman, social order was at stake in the bid for independence.

Despite his private misgivings leading up to his speech, hope runs throughout Jefferson Davis' rhetoric in late 1862. Davis measured the progress the South had made since secession in the face of an enemy who had accumulated taxes and military stores over seventy years. "The wonder is not that we have done little," he said, "but that we have done so much." Davis suggested that Missouri might join the Confederacy, and said that the "future is bright" for the states on the western side of the Mississippi. In all of this, Davis projected an optimistic assessment for southern nationalism. He claimed, "Success was certain," and that "our people had only to be true to themselves to behold the Confederate flag among those of the recognized nations of the earth." For Davis, the war came down to simple determination: "The question is only one of time. It may be remote but it may be nearer than many people suppose."[67] Time, of course, would confirm that Davis overstated southern determination and underrated the capacity of the

[66] *Papers,* 8:571, 567, 569, 579.
[67] Ibid., 567, 575.

North. But just before the start of the calendar year that would decide the fate of the nation and the future of millions people, Davis's rhetoric offers a unique perspective on the Confederate situation, while projecting a vision of a unique, quasi-egalitarian and commercially vital slave society.

Chapter 2: The Early Rhetoric of Jefferson Davis

> "One of the most remarkable characteristics of the Southern people before the war was their universal enjoyment of public speaking and their intense appreciation of good popular oratory. In consequence of this, the art of fluent speaking was largely cultivated, and a man could hope for little success in public life unless he possessed this quality in some degree."[1]
>
> Former Mississippi Congressman Reuben Davis

Jefferson Davis and Reuben Davis, though unrelated, were part of the same antebellum Mississippi political culture that placed such a high premium on public speaking. As political campaigns intensified after the arrival of universal white manhood suffrage, oratory assumed greater importance in the South and elsewhere. A highly competitive two party system spawned the emergence of elaborate campaigns that made speech the most important means of communication in the pre-war political culture of the Old South. That explains why a politician like Reuben Davis identified public speaking as being the crucial element in the political fortunes of any aspiring southern politician. And while the love of oratory was not entirely a southern phenomenon, Reuben Davis's larger point stands: political careers depended upon the ability to survive in a world that placed great demands on speakers.

Jefferson Davis emerged, and indeed, thrived in just this type of political world. But what type of rhetoric led to his emergence as a political force in antebellum Mississippi? How did a young planter with political ambition court votes in an age of universal white manhood suffrage? In the larger view, did Davis's early political rhetoric resemble the words he spoke during the Civil War? This chapter starts the process of questioning whether Jefferson Davis's rhetoric as Confederate president was reflective of

[1] Reuben Davis, *Recollections of Mississippi and Mississippians* (Boston: Houghton, Mifflin, 1889), 69.

long held beliefs or a matter of wartime exigencies. It closely examines two distinct examples of Davis's oratory as an emerging southern politician. The first speech comes from Davis's role as a presidential elector for James K. Polk, the Democratic Party's 1844 presidential nominee. The second is a ceremonial speech from June 1845, given to honor the passing of Andrew Jackson, arguably the most famous and controversial American of his day. Both speeches provide some perspective on the type of popular appeal Davis used as an aspiring Mississippi politician in an age of universal white manhood suffrage.

Unfortunately, the task of thoroughly analyzing Davis's rhetoric is complicated by the fact that most of his earliest speeches were not preserved. That puts most of the earliest rhetoric beyond the reach of historians. In that respect, the only perspectives on many of his early speeches are newspapers or party notices that might comment on a given speech. But these accounts, coming mainly from party-affiliated publications, give very little sense of the actual rhetoric. They also tend to boil down extremely long, and richly argued speeches into sweeping generalizations about what was said.[2] The paucity of complete text speeches lasts at least until Davis's election as a United States representative in 1845. After that point, many more speeches survive because of improved documentation.[3] Nonetheless, Davis began his political career in the early

[2] For example, see an account of an early Davis speech from the September 10, 1844 Vicksburg, Mississippi *Sentinel and Expositer*, a Democratic paper: "This gentleman [Davis] addressed the Democratic Association on Saturday evening last. He gave a pleasing account of his travels in North and East Mississippi, and assured his friends in Warren that democracy is gaining in almost every county that he visited—and triumphant victory in this State—he considers as certain. He was cheered again and again, most enthusiastically." Quoted in James T. McIntosh, ed., *The Papers of Jefferson Davis*, vol.2 (Baton Rouge: Louisiana State University Press, 1974), 209. Hereafter *Papers*.

[3] This is not to suggest that the historical record after Davis's election to Congress encompasses every speech he ever delivered, or that no speeches exist before 1846. In fact, some isolated speeches remain from before 1846, and many speeches after Davis's election to Congress are not available. But in a general sense, the historical record improves considerably after 1846.

1840s and was not elected to the United States House of Representative until late 1845, which means that most of the early political oratory is lost. But this chapter will analyze two of the speeches that survive from these early political years.

Davis Speech as James Polk Elector

Davis's undated speech as a Polk elector is the only substantive example of his oratory that remains from the 1844 campaign. It is also not a complete text of the speech. The surviving portion of the speech is considerably fragmented and grammatically unstructured.[4] But the portion that remains offers at least some perspective on Davis's attempts to persuade Mississippians in 1844. The text of this second speech eulogizing Andrew Jackson has survived intact. Despite Davis's contention that the eulogy was not political, his own political trajectory and the very figure of Jackson suggest otherwise. Both speeches provide important perspectives on Davis's early rhetoric.

As a state presidential elector, Davis spoke for the Polk campaign at numerous stops around Mississippi. He spoke at least sixteen times in over ten different counties during the campaign.[5] The remaining speech from this campaign likely comes from June, or July 1844, a time when he traveled the state with fellow Democratic elector Henry S. Foote.[6] Davis and Foote eventually became sworn enemies, but they showed no rancor towards one another during the 1844 presidential campaign as they traveled the state to speak for Polk and the Democratic party. After the Civil War, Reuben Davis, another Democratic party speaker who occasionally traveled with Jefferson Davis and Foote,

[4] The speech fragment can be found in *Papers*, 2: 706-711.
[5] William J. Cooper, "Jefferson Davis and the Sudden Disappearance of Southern Politics" in *Is There a Southern Political Tradition?* Ed., Charles W. Eagles (Jackson: University of Mississippi Press, 1996), 32.
[6] *Papers*, 2: 711. Davis traveled the state of Mississippi from mid-June until early November as an elector and references a letter from Clay that was dated May 11, 1844.

recalled the situation as the men traveled the state. Reuben Davis recalled that organizers arranged huge barbeques, "For the purpose of massing the people of a county at a given point." He noted that the barbeques were drawn out for several hours, because after Jefferson Davis and Foote spoke, "local orators would harangue the crowd. These discussions would include the very structure of our government, and all important measures of policy which had been proposed by either party." Nevertheless, Reuben Davis claimed that the burden of these gatherings fell to the main speakers, Jefferson Davis and Foote, because they "were expected to be familiar with the history and facts of every subject alluded to, and to furnish the people with full and clear information."[7] Here on the stump, Jefferson Davis courted Democratic votes and lay the foundations for his coming career.

Davis concentrates on the issue of the protective tariff in the portion of the speech that remains from the 1844 campaign. But in the process of addressing the protective tariff, three general themes emerge from his rhetoric. The first is that Davis argues not as a paternalistic slaveholder, but rather as an advocate for equal rights for whites. For Davis, equality is achieved and protected by laissez faire and free trade. Beyond that, at least part of his concern is to guard against any harm to consumers. The second theme is Davis's symbolic use of the Founding Fathers as proofs in his rhetoric. Davis's rhetoric frequently invokes the Founders, who he uses to advocate the positions that he supports. And third, this brief speech fragment from 1844 highlights the degree to which Davis claims that national unity is threatened by legislation favored by the North and, at times, the Whig party.

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[7] Reuben Davis, *Recollections*, 194.

Davis began the portion of this speech by arguing that the protective tariff would have a direct influence on the presidential election of 1844. He had obviously preceded these comments with other points because he begins this excerpt by saying that the protective tariff was the "Next" subject of concern he would address. Davis, like many other southerners, strongly opposed the tariff. In that sense, the tariff was a contentious matter in much of the South, particularly among Democrats, and it had been for decades. But despite this widespread opposition to the tariff, most southerners were unwilling to follow the more radical steps taken by South Carolina during the nullification crisis of the 1830s.

In seeking the repeal of the 1842 tariff, Davis approached the tariff issue as both a wealthy planter, but also as a Democratic Party speaker. When addressing the issue in his rhetoric, Davis chose not to focus on those factors that might likely interest planters. Instead, he attacked the tariff by tracing its harm to two specific groups: laborers and consumers. In fractured language, Davis affirms that a central issue "on the ensuing presidential election is the issue of a protective Tariff—protective of what and against what? of (sic) manufacturing labor against those who would sell manufacturers cheaper is I believe the fair answer to the question I have asked." According to Davis, the tariff privileged one group of labors over another, but at the same time it raised the price of "manufacturers," or manufactured goods, for consumers. The two concerns of labor and consumption are therefore inextricably linked in his argument.[8]

To support his charge that the tariff favors manufacturing labor, Davis brings specific census numbers to bear. He claims:

[8] *Papers*, 2: 706

> according to the census of 1840 the number of persons engaged in manufactures and trades was 791.739 the total of the U.S. was 17.069.453—the difference then was 16.277.714 being something more than 20 of those not engaged in manufactures or trades, to 1 of those who were so engaged. Generally then I ask, shall 20 persons be taxed to render productive the labor of one in a pursuit which the proposition shows is either unsuited to himself, the times or the circumstances in which he is placed.[9]

In Davis's view, the census numbers indicate that the protective tariff interferes with the free market by privileging manufacturing labor over non-manufacturing and agricultural labor. This sort of injustice occurs by means of twenty people being "taxed," a word that has more onerous connotations than "duty" which is a more appropriate description of the tariff. Moreover, those twenty laborers are taxed to support just one, an argument that has an echo of aristocracy to it.[10]

Davis argues that the tariff supports laborers who probably would not survive in the marketplace given the "times" and "circumstances" without this special privilege. For Davis, the free market can, and should, ultimately decide which laborer survives in the marketplace. In that sense, governmental attempts to protect labor that would not survive on its own in the free market proves to be a burden for the vast majority of laborers—and consumers--not in that protected group. Davis therefore indicts special privilege for select laborers, and appeals to the white workers of a region with relatively few manufacturing jobs. Nevertheless, his ultimate remedy is a more rigid *laissez- faire* where there would be no protections of any sort for laborers.

Davis's census statistics include millions of slaves, and in that respect they become part of his overall labor equation. Yet Davis does not allude to the slaves, much

[9] Ibid.

[10] But in arguing against special privilege for manufacturing labor, Davis's census numbers seem to disregard the families of manufacturing laborers. In that respect, he uses the entire population number to show disparity, but disregards the fact that the 791,739 manufacturing laborers he cites also had families.

less their owners, who would supposedly bear the burden of the tariff. Davis's arguments are directed to white laborers, and more specifically southern farmers or laborers in non-manufacturing positions.

Beginning his attack against the protective tariff with an appeal to white laborers who are purportedly harmed by the law actually precedes a more complicated argument Davis makes about the tariff's effect on certain cotton products. After first accusing tariff advocates of legislative fraud for not admitting that their bills are protectionist--at which point the Supreme Court could strike them down--Davis provides a complicated lesson in macroeconomics, particularly as it affects the cotton market. He complains of "prohibitory duties for protection," and supports this contention with references to a government report about the international cotton market that includes abstract discussions of specific tariff percentage rates on unbleached cotton. In another instance, Davis uses similarly complicated numerical arguments about rope production to show that the tariff privileges particular sections of the country at the expense of others.[11]

Oddly enough, both instances demonstrate that Davis's political rhetoric improves considerably over the years. It is apparent Davis becomes a better orator as he matures, and that he is less apt to make such peculiarly specific arguments about matters of policy. But viewed in another way, this type of rhetoric might explain why Davis preceded his more complicated arguments with a rather straightforward accusation that the tariff privileges some laborers over others. The charge that the law privileges a small fraction of laborers over others appears to be a more forceful line of argumentation, despite the fact that Davis's own interests might lie in issues like the percentage of the

[11] Ibid., 710-711.

tariff duty in relation to the international cotton market. Regardless of Davis's intentions, it is clear that this particular argument comes across as extremely abstract for a popular political speech.

Nevertheless, Davis's discussion of the rising tariff percentage rates is essentially leading to his other injured party, the consumer. As a proponent of free trade, Davis argued that the tariff's rising percentage rates unfairly raised costs for the consumer. But in order to argue this, Davis must first explain a seeming inconsistency in his evidence. Earlier in the speech, Davis acknowledged that the price of some goods had actually been declining despite the tariff, but he denies it was a victory for the consumer. So when faced with this type of contradictory evidence, Davis essentially argues in a circular fashion: "I do not believe it true that such decline is ascribable to the dues imposed for their protection, and if it were true, the object—protection—would by the fact appear not to have been attained." In his rhetoric it appears that any evidence of lower prices is hypothetically an example of the tariff's failure. This type of inconsistency aside, Davis asks: "When we look at the point practically, who do <we> find advocating such duties, the manufacturers and their friends, is their purpose to reduce the price of that they wish to sell? if (sic) it be, it is anomalous indeed that the consumers should oppose their effort." But he answers his question with a caustic response: "Sirs, the position is untenable, the true question is, shall the consumers pay a bounty to the manufacturers or not?" As the question suggests, the tariff interrupts free trade by imposing a "bounty," a word that suggests a giveaway to a favored party. According to Davis, the consumer bears the ultimate cost of this favored governmental treatment.

To be sure, much of the tariff issue was driven by politics and Davis believed that consumers should recognize which political party looked after their interests. Davis referenced a letter from Henry Clay written earlier that year in which the Whig leader claimed the tariff showed the wisdom of his party's legislative agenda. But according to Davis, Whigs were beholden to special interests. In fact, Davis claims that the legislation should not even be considered a product of the Whig party because it was obviously driven by a particular special interest: "True this tariff was passed by a whig congress (sic), true its repeal has been resisted by the whig (sic) members of the present congress, yet, I think it would be more properly denominated a manufacturers tariff." Moreover, the tariff could not be defended as a revenue enhancement because the tariff pushed by manufacturers through the Whig party only lowered imports and thereby reduced government revenue. To Davis, the fact that there was no added revenue from the tariff proved only "the ability of our people to bear oppressive duties." More importantly it also led to injustice: "The discriminating feature is unequal because it imposes low duties upon the agricultural products as compared with the manufacturing fabrics, & it is unjust and oppressive because the heaviest duties are imposed on the cheaper and more necessary articles of consumption." In Davis's view, non-manufacturing southerners and consumers are again the aggrieved parties because they are forced to bear the burden of the tariff on those items ordinary people need most. He also denounces Whig policies justifying the regulation of commerce on the grounds of promoting the "general welfare" as unconstitutional. Instead Davis insists that to regulate commerce means to "cripple or destroy" trade.[12] Any policy that curtails trade harms both consumers and society.

[12] Ibid., 707

Delving into the origins of the tariff, Davis found a parallel for what he characterized as the "restraining of trade" and "the policy of protection" that he found so damaging. "During the period of the blockading policy by England, and the anti-commercial decrees of France, our people suffered so much by the interruption to their ordinary trade that a general feeling in favor of domestic manufactures pervaded the country," he explained. But he then explained: "manufacturing companies has (sic) been the growth of later times and new circumstances." Davis makes a clear distinction between the "domestic manufacturers" of the earlier era and the "manufacturing companies" benefiting from the protective tariff in the 1840s. The former entity was an altogether understandable and patriotic response to tyrannical European powers seeking to curtail free trade in the first decades of the century. On the other hand, the American manufacturing companies of his own age were a different—and seemingly illegitimate--entity altogether because they sought tariffs even when the circumstances did not warrant such action. Moreover, Davis argues, like many of his fellow Democrats, that when the United States government continues to support those manufacturing companies by means of a tariff, it manifests some of the worst features of the tyrannical British and French governments by essentially curtailing free trade.

This 1844 speech on the protective tariff also exhibits a trend that would continue throughout Davis's life: his invocation of the Founding Fathers in his rhetoric. In this instance, Davis chastised tariff supporters who attempted to claim the legacy of certain "departed sages whose political principles and intellectual greatness vie with each other for our respect." He was particularly annoyed to hear tariff supporters invoke "the sage and apostle of democracy Jefferson" as one of their own. At this relatively early stage in

his career, Davis also used the legacy of Jefferson as a southern planter much as he would over the course of his career. In this example, Davis contends that Jefferson would not have approved of "the present state of things" regarding the tariff. As evidence, Davis cites a letter Jefferson wrote to James Madison in 1826 in which he expressed his "mortification" at having to apply to the Virginia legislature for the "privilege to dispose of his property by Lottery." Davis includes in the speech that portion of Jefferson's letter in which he lists the reasons he was forced to liquidate his property: "But the long succession of years of stunted crops, of reduced prices, the general prostration of the farming business, under levies for the support of Manufacturers, &c. with the calamitous fluctuations of value in our paper medium have kept agriculture in a state of abject depression." It is clear Davis uses the quote from Jefferson because he seeks to implicate the protective tariff as a culprit in the ex-president's financial demise.[13]

Davis also finds Jefferson as a kindred spirit on the issue of the tariff's harm to consumers. In fact, part of Jefferson's explanation of his financial ruin points to the earlier tariff's harmful effect on consumption. Davis therefore quotes Jefferson as saying, "the accumulation of duties on the articles of consumption not produced within our state, not only disable the farmer or planter from adding to his farm by purchase, but reduces him to sell his own." Ironically, Jefferson himself was a testament to over-consumption, considering much of his estate of Monticello was leveraged with credit. Nevertheless, as he faced losing his property, Jefferson found that the tariff boosted the prices he originally paid for goods not made in Virginia. In the end, Davis claims, "It surely requires a mind favorable to latitudinous construction to find in Mr. Jeffersons

[13] All quotes ibid., 708. Beyond that, this quote from Jefferson shows that he and Democratic descendents (like Jefferson Davis) who opposed a central bank, offered only laissez-faire and decentralization to remedy problems like currency fluctuations. But these policies likely exacerbated the currency problems.

(sic) opinions support for the protective doctrines of the present day."[14] Nevertheless, it is striking to note how Davis supports his views about the impropriety of the tariff by invoking Jefferson, the southern planter, at his nadir.

Davis also cites Benjamin Franklin as one who would have opposed the tariff of 1842. In a way that would echo in later arguments he would make about the limited role of the federal government, Davis contends that Franklin believed that Congress had no powers to encourage manufacturers. But Davis takes Franklin's argument about congressional limitations from the days before the Constitution's ratification. In paraphrasing Franklin's 1784 essay entitled "Information to those who would remove to America" Davis claims: "He (Franklin) says unlike the princes of Europe, our Congress has no power under the articles of Confederation to encourage manufacturers by high salaries privileges &c and that if any such encouragement is given it must be by the government of some separate state."[15] Davis, in other words, appears to seek the answer to the constitutionality of the protective tariff in the Articles of Confederation, notwithstanding the fact that Franklin and most other Founders saw the inherent weaknesses in that document and sought to remedy it by adopting a new constitution. It was, or should have been, a moot argument because the Constitution passed to remedy the shortcomings of the Articles of Confederation. But Davis found specific value in the relevance of the Articles of Confederation for his argument. He would continue this type of argument throughout his political career.

Davis also claimed that Franklin saw British attempts at protecting manufacturers as inherently corrupt and that he believed market forces to be more effective and self-

[14] Ibid., 708-9.
[15] Ibid., 709.

regulating. Paraphrasing Franklin, Davis said: "He says that if the country is ripe for the manufacture it may be carried on by private persons to advantage, if not it is folly to think of forcing nature. The government in america (sic) do not encourage such projects. The having the option to buy from the merchant or mechanic are not imposed upon by either, The two professions are checks on each other." Davis depicts Franklin as an advocate for *laissez- faire* and free trade, policies that are beneficial for a nation, despite what some critics of the policy might argue. "These are the doctrines of that practical, wise and virtuous man; and the[y] are the doctrines of the derided school of free trade," he said.[16]

Perhaps more importantly, Davis contends that sticking to the principles of free trade would not threaten the Union that men like Franklin and Jefferson worked to establish. Davis claims:

> Had they been the policy of our government, we should have had no political tariffs, no oppressive taxation on one section of the <-Union-> <Country> to furnish bounties to another, no local animosities disturbing the harmony and threatening the existence of the Union; but the states would have remained as the fathers of the revolution left them, united by the bond of family affection, generously emulating and sincerely rejoicing in the prosperity of each other.

Instead, Davis claims that the reality he sees is a much bleaker picture, one in which the nation is presumably threatened by sectional jealousy. For Davis, legislation protecting manufacturers is of a "sectional character." He labels the tariff of 1842 "oppressive" and suggests that it risks the production of cotton, that product that leads "to the prosperity of the whole union." Davis would use much the same types of arguments throughout the growing sectional crisis.[17]

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[16] Ibid., 709-10.
[17] Ibid., 710- 11. For an explanation of cotton's role in the American economy before the Civil War, see Douglas North, *The Economic Growth of the United States, 1790-1860* (New York: Norton, 1966).

But if Davis's rhetoric during the 1844 presidential campaign used the Founders to argue for Democratic party positions, his eulogy for Andrew Jackson one year later celebrated a different kind of national icon. Jackson was both a national and party icon, which makes Davis's rhetoric memorializing him all the more revealing. On June 21, 1845 citizens of Warren County, Mississippi, came forward at a Vicksburg council meeting to request that their elected officials arrange a public ceremony to honor Jackson, the former president of the United States who had died earlier that month. The mayor and council agreed to the popular request and resolved: "That in order to testify our respect and veneration for the character of the late Gen. Andrew Jackson, it is recommended that a suitable Eulogy upon his life, character and public services be delivered" later that month. To that end, the council appointed a seven-member committee to select a eulogizer, while at the same time making some further recommendations about the scope of the festivities to honor Jackson.[18] The committee apparently did not conduct a particularly rigorous search, because that very same day they settled on their choice, Jefferson Davis, then a young aspiring Democratic politician from the area, albeit one who had never before held public office.[19] Perhaps it was no coincidence that the day after Davis accepted the invitation to eulogize the former president, Warren County Democrats ordered that his name be forwarded to the state convention as a candidate for the United States House of Representatives. Despite this auspicious timing, one week later on June 28, 1845, Davis, still a relative novice in

[18] *Papers,* 2: 249-250. Among the recommendations was that the mayor, council, the militia and various public societies meet with other citizens of the county and form a procession to the Presbyterian church, at which point the formal ceremony to honor General Jackson would proceed. The resolution further requested that all businesses shut down for four hours on the appointed day and that individuals wear a crape on the left arm for thirty days.

[19] Ibid., 255. The deliberations that went into choosing Davis for this honor remain unknown.

Democratic Party circles, set out to eulogize Andrew Jackson in front of a large crowd of Mississippians in Vicksburg.

Eulogy for Andrew Jackson

The Democratic party was the South's most important political institution and certainly the dominant party in Mississippi during the antebellum years. But what could a novice party figure say about a man who was both a national and party icon? Moreover, how did Democrats and southerners view Jackson less than ten years after he left office? What was the significance Jackson's legacy to a young southern Democrat like Davis? This portion of the chapter seeks to answer these questions.

Davis's eulogy of Jackson is significant in other ways as well. Oratory played a critically important role in nineteenth century America, and within this realm, ceremonial oratory, particularly in the form of a eulogy, took on even greater importance.[20] The death of Andrew Jackson, with his link to the revolutionary generation, and his importance as a military leader during the War of 1812, presents an opportunity to view the ceremonial function of oratory during the antebellum period, particularly as it came from a man who would eventually become one of the South's most important orators. On another level, Mississippi in 1845 was only one generation removed from its frontier days. Viewed in this light, the ceremony to honor Jackson was a locally organized tribute to an important national figure at a time when sectional disharmony grew and war with Mexico loomed.

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[20] See for example, Gary Wills, *Lincoln at Gettysburg*: *The Words That Remade America* (New York: Simon and Schuster, 1992), chapters 1 and 2. Waldo Braden, *The Oral Tradition in the South* (Baton Rouge: Louisiana State University Press, 1983), 22-43. Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South, 1865 to 1913* (New York: Oxford University Press, 1987) traces the centrality of the South's ceremonial functions into the post-war years.

The eulogy for Andrew Jackson is therefore important to consider for its ceremonial value. According to one account, the tribute to Jackson started as a procession with two military companies, Masonic lodges, Mechanics' Mutual Benefit Societies, several fire companies, and a large line of citizens. All businesses were requested to shut down during the ceremony and everyone was asked to wear a crape.[21] With this in mind, Davis's eulogy of Jackson might be seen as part of a ceremonial function reflective of a growing sense of nationalism that gripped many in the South and the entire nation during the 1840s. For many southerners like Davis, national expansion promised the potential for new slave territory. Despite the various motives, nationalism flourished in the midst of an ongoing dispute with Britain over the Oregon Territory and the impending conflict with Mexico.[22]

Beyond the ceremonial considerations, Andrew Jackson in death--as in life--was an important symbol for the nation's evolving concepts of democracy, particularly for the Democratic Party. Notwithstanding the rich historical debate about Jackson's credentials as an authentic democrat and the nature of the Democratic Party he symbolized, he is still seen by many as a symbol for the emergence of universal white manhood suffrage in the United States.[23] Jackson's image was particularly important in the antebellum South

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[21] *Papers,* 2: 263.

[22] The most thorough treatment of the rising nationalism in the era is David Potter, *The Impending Crisis, 1848-186* (New York: Harper Torchbooks, 1976). Historian Frederick Merk argues that the South had ambivalent feelings about national expansion, but generally favored adding Texas and parts of Mexico to the Union. See Frederick Merk, *Manifest Destiny and Mission in American History* (Cambridge: Harvard University Press, 1995, first published 1963), 39.

[23] The literature on Jackson, the Democratic Party, and democracy is abundant. See for example: Marvin Meyers, *The Jacksonian Persuasion* (Palo Alto: Stanford University Press, 1957); Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case* (Princeton: Princeton University Press, 1961); Charles Sellers, *The Market Revolution: Jacksonian America, 1815-1846* (New York: Oxford University Press, 1991); Arthur Schlesinger, Jr., *The Age of Jackson* (Boston: Little Brown and Co., 1945); Robert G. Gunderson, *The Log Cabin Campaign* (Lexington: University of Kentucky Press, 1957); Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: University of Chicago Press, 1979); Michael Holt, *The Rise and Fall of the American Whig Party*: *Jacksonian Politics and the Onset of the*

despite the fact that he presented some unsettling paradoxes for the region. Jackson, after all, was a southerner and a slaveholder, and his military leadership and tactics did much to secure southern frontier land for white settlers in battles with Native Americans and European powers during the early part of the nineteenth century. But Jackson was also a nationalist, at least to the extent that as president, he refused to yield to South Carolina and its rigid interpretation of states' rights during the nullification crisis. Jackson essentially claimed federal superiority during the crisis, which marked a departure from his earlier state's rights position. Jackson's stand on nullification could therefore be viewed as problematic for a region that continuously looked to defend slavery under the banner of states' rights.[24] It is instructive, therefore, to examine what Jefferson Davis -- most remembered for his later insistence that the states had a fundamental right to secede from the Union -- said about Jackson, the president who threatened federal military action against South Carolina during the nullification crisis. Davis's eulogy offers insights into how a southern politician of the same political affiliation grappled with the contradictory legacies of Jackson during a time when sectional divisions heightened.

Three themes emerge from Davis's eulogy of Jackson. First, Davis stressed Jackson's patriotism. And as a patriot, Jackson was a national conciliator who always looked out for the best interests of the country. Next, Davis repeatedly recalled Jackson's humble upbringing. Davis portrayed Jackson not as a paternalistic or wealthy planter, but rather a man who never forgot his humble roots or lost touch with the common man. As a matter of fact, Davis never mentioned Jackson as a slaveholder. Finally, despite his

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Civil War (New York: Oxford University Press, 1999).

[24] For a brief discussion of Jackson's shift in political philosophy during nullification, and the way southerners viewed him at the time, see Lacy Ford, "Prophet with Posthumous Honor: John C. Calhoun and the Southern Political Tradition," in *Is There a Southern Political Tradition*? Ed. Charles W. Eagles (Jackson: University Press of Mississippi, 1996), 8-12.

contention that the eulogy was to remain non-political, Davis celebrated Jackson's politics and the policies of the Democratic party. These party principles emerge when Jackson fights against political opponents who have selfish agendas instead of the best interests of the nation. Not surprisingly, the self-interested politicians were those who opposed Jackson on issues like the Bank of the United States.

Davis specifically mentioned the growing sectional divisions in the eulogy, but he used Andrew Jackson as a national healer for those wounds. Perhaps the most important of Davis's biographers, William J. Cooper, rightly asserts that his eulogy of Jackson was infused with patriotic sentiments. In that respect, Cooper identifies points in the eulogy when Davis compares the deceased to George Washington, praises Jackson's sense of duty for his country that overrode any personal interests, and his sense of "agony" that Americans might slip into civil strife. In Cooper's view, Davis agreed with Jackson's famous toast, "The Union it must be preserved" and encouraged citizens to protect "the pure fire of liberty."[25] Nevertheless, there is a subtext to the speech beyond the patriotic overtones. And here it is important to note that Davis himself was never a wholly patriotic figure through the 1840s. As his speech as a Polk elector from the previous year demonstrated, Davis had voiced concerns about the future of the Union, and he was exceedingly critical of northern manufacturers and politicians for the sectional character of the tariff. For Davis, politics put the nation at risk if the South was pushed too far on issues such as the tariff.

With that in mind, it is revealing to note the ways Davis references Jackson's patriotism. For Davis, Jackson's patriotism started almost at birth. He portrays America

[25] William J. Cooper, *Jefferson Davis, American*. (New York: Alfred A. Knopf, 2000), 107.

as a place to escape oppression, but it is interesting to hear the echoes of the 1840s sectional conflict in his eulogy:

> Andrew Jackson was descended from an Irish family of obscure history but as far as I can learn distinguished by a love of liberty, a hatred to tyranny, and a defiance of oppression. His grandfather fell at the siege of Carrickfergus, a victim to the progress of British aggression. His father unable to brook the insolence of the petty tyrants—that English confiscations set over the estates of Ireland, sought an asylum in the wild of America.

Davis continued, saying that Jackson's father settled in South Carolina, and though he died not long after the birth of the "patriot soldier, honest statesman, the people's friend" he hoped that he left his wife and sons in a far better land. But in language that echoed the previous year's rhetoric about the tariff, Davis claimed, "the English system of exclusive privileges, and salaried sinecures, requires that the hand of plunder should be stretched wherever there is prey. With the evidences of prosperity, and growing wealth came oppressive requisitions on the infant colonies, and discontent arose, and revolution followed." In effect, Davis issues a warning about the logical outcome of a government that tries to suppress freedom by overtaxing its people. Nevertheless, at this point, Davis sees the North not wholly unfavorably. On the contrary, Davis recalled that as a boy Jackson "noted the accounts of the gallant actions in the north where the sons of the pilgrim fathers, stood like a wall of fire around their invaded homes."[26] At this stage in 1845, Davis is both indirectly critical and openly conciliatory in regards to the North.

In South Carolina, Jackson's patriotism led him to defend his country at all costs, even as his home state descended into its own "civil war" between "whig and tory." In the midst of such chaos, patriotic boys were called on to fight the "tory bands" that lurked

[26] All quotes from *Papers*, 2:266-7. As his wartime oratory demonstrates, Davis's line about the North would take on greater irony in light of his derogatory rhetoric about the legacy of the Pilgrims during the Civil War.

among them. "Thus Andrew Jackson grew up in a school of war and amid scenes most fit to form the unflinching Patriot," Davis said. Acting as a good patriot, Jackson's mother sent her eldest son to fight the British, and when she learned he died, she bid Andrew to go take his place. According to Davis "an incident is narrated" that as a soldier in the Revolution, Jackson and his brother were taken prisoner by the British. In custody, Jackson watched as his older brother refused to shine a British officer's shoes and was subsequently struck for it. The blow was severe enough that Jackson's older brother eventually died from the wound. Davis also notes that Jackson's mother died at about the same time, leaving him "in the wide world alone, a boy, poor, and friendless," except for God who watched over him.[27]

In many respects it is this "poor" and "friendless" Andrew Jackson that Jefferson Davis celebrates. Davis stresses that Jackson was forced to fend for himself, notwithstanding the fact that he also inherited "a small remnant" of property. That "remnant" was "disposed of," which allowed him to pursue schooling and to study law. In that sense, he consciously set about to improve himself and his social standing. Jackson soon after moved to Tennessee "the new and unsettled state of which was better suited to his poverty and loneliness." Jackson found in Tennessee, "The wants, and dangers of a frontier people, formed a fit field for his bold energetic spirit." Davis, in other words, portrays Jackson as a poor young man, but one who nonetheless aspires to exploit the opportunities available to all white men in America. Davis also depicts Jackson as a man who never forgot his own past and was subsequently always loyal to the poor. In that respect, Davis contends Jackson "Long will be remembered by the

[27] Ibid., 267-8.

friendless, who found in him a friend; by the destitute, whom he never turned away." Jackson was the people's friend.[28]

According to Davis, Jackson's connection with the common people also propelled him to military leadership. In 1812, when Jackson organized a militia unit of Tennessee volunteers, many of his followers "were the sons of those who had been the friends of his destitute youth. They had known him from their boyhood, and enrolled themselves in his brigade because of the confidence they reposed in him as a leader." Davis portrayed Jackson not as an intimidating military leader, but instead as one who gave his horse to sick soldiers as he marched on foot with the rest of the men. Jackson was one of the men, sharing the burdens and hardships. Davis also contends that Jackson tried always to reduce the amount of casualties among his men, and that he never put them at risk in order that he might acquire more fame. Davis claims that Jackson sought to avoid conflict whenever it could be avoided, and "held out the hand of negotiation to any tribe that seemed willing to receive it."[29] Accordingly, these were the deeds that won Jackson his soldier's esteem and ensured their loyalty to him.

But Davis also recalled Jackson as a leader who helped tame the frontier, which indeed made settlement of areas like Mississippi possible: "We stand too near the fields where his skill and valor gave safety to our suffering frontier, to forget the offerings he brought and sacrificed upon those plains, that we might have security." Once established, Jackson was always "anxious to give the necessary protection to our frontier settlers, with the least loss of blood." In Davis's rhetoric, settlers throughout the South, and especially those people seeking opportunities in new lands like Mississippi, owed a debt to Jackson

[28] All quotes ibid., 269.
[29] Ibid., 269-70.

for their safety.[30] Historian Edwin Miles contends that Jackson's popularity as a presidential candidate in Mississippi was the direct result of his wars with Indians, the British, and the fact that he lived on the frontier. And though Davis did not mention it in his eulogy, most of his listeners would recall that Mississippi named its state capital after the General in 1821.

Davis also talked about Jackson's political career, which might have left him open to charges of partisanship. Nevertheless, Davis ostensibly claims his speech was to be non-political: "If I have not spoken fully of President Jackson's course in office, it is because we have assembled not to discuss any particular creed, not defend or to criticize any policy or measure, but with a higher and nobler purpose." Despite such high sounding ideals, much of what follows is clearly political. First, Davis claimed that Jackson was in no way responsible for the poisonous political atmosphere that gripped the nation's politics during his presidency. Instead, Jackson encountered resistance "mainly due to causes which originated before his election. If party rancor and distrust; if sectional jealousy and disunion, sprung up like tares, and threatened to destroy the fair wheat of our political field, they came from seeds he never scattered," he said. Davis claimed that Jackson worked to eradicate the weeds and was ultimately successful because he heard the "harvest horn of Union."[31] Despite the fact that Davis claimed the eulogy was non-political, he credited Jackson with political successes in foreign policy where he attained "commercial advantages, which had been sought in vain by his predecessor, the oldest diplomatist in our Union." Both Jackson and Davis apparently recognized the importance of commercial trading for the prosperity of the South and the

[30] Ibid., 270.
[31] All quotes from *Papers,* 2:280.

rest of the nation. Jackson was able to win these and other political battles because he was decisive, and a man of action. To Davis, these qualities were evident in Jackson's handling of the events surrounding the Bank of the United States. In regards to this controversy, Davis said:

> No event of President Jackson's life better illustrates his character than the case of the government deposites with the United States bank. That institution had ramified throughout the Union, yet, notwithstanding its wide extension, it possessed an unity of purpose which pecuniary interest alone can bestow; it was powerful and seemingly prosperous, but Jackson's penetrating eye saw, beneath its flourishing exterior, the canker worm which preyed upon, inevitably to destroy it. In the face of the report of a congressional committee, that the deposites with the bank were believed to be safe, he determined to remove them. His friends came to him and besought him to delay, urging that it would unite the northern manufacturers and southern nullifiers, and might defeat the democratic party. The policy was apparent; but Jackson's rule was rectitude. To do his duty was his purpose.[32]

Jackson, like Davis himself, was an opponent of northern manufacturers. But he was also an opponent of South Carolina nullifiers. In Davis's rhetoric, these two parties might have caused Jackson trouble over the withdrawal of funds from the bank, yet Jackson remained firm on his position. Davis further claimed that Jackson had since been vindicated in his decision to remove the deposits from the bank.[33] Nonetheless, these comments leave little doubt that Davis never followed his proclamation to keep politics out of the eulogy. Perhaps it was impossible given the man he was eulogizing.

To Jefferson Davis, part of Jackson's patriotism includes his devotion to the Constitution of the United States, which he sees as binding the nation together. Nevertheless, this is not a particularly large feature of the eulogy.[34] In fact, Jackson's

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[32] All quotes ibid., 279-80.
[33] Ibid.
[34] This is significant to consider in light of a recent historical interpretation that used Davis's eulogy of Jackson to argue about the relative limits of the Democratic Party in the antebellum South. Wallace Hettle, *The Peculiar Democracy: Southern Democrats in Peace and Civil War* (Athens: University of

true devotion to the Constitution appears to be reflected in his abiding by the rule of law, even when he was a powerful military man being unfairly judged by a feckless jurist. Despite portraying him a man who scrupulously followed the law, Davis never mentioned Jackson's defiance of the Supreme Court on the removal of Native Americans. On the other hand, Davis claimed that Jackson was forced by his constitutional duties to enforce the tariff of 1828, despite the fact that he "viewed that law with no favor." But Jackson decided that "his was not the department of government which could repeal a law or judge of its constitutionality, however unjust, impolitic, and unequally oppressive it might be, his duty was, whilst it remained a law to see it faithfully executed."[35] Jackson, in other words, carried out his duties as president even when presented with a law as odious as the tariff. Perhaps because of its unpopularity among southern Democrats, Davis never mentioned that Jackson himself had approved the 1832 tariff that led to the nullification crisis.

Throughout the eulogy, Davis also depicts Jackson as a particular kind of leader, both military and political. As a military leader Jackson was loved by his men, and characterized as a defender of the frontier. In politics he was loved by the people and in turn had an abiding faith in them. But over the years, many historians have questioned how devoted Jackson was to his followers. In a recent study, historian Wallace Hettle observes that Jackson's military experience is part of a paradox that might have been

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Georgia Press, 2001), 148. Hettle builds upon Eugene Genovese's interpretation of the South and claims the Democratic party was decidedly not democratic, and instead dominated by slave interests. But in making his case, Hettle misreads the thrust of Davis's eulogy of Andrew Jackson. This speech is important for him to consider because both Jackson and Davis are important political figures within the South's Democratic party. In the eulogy, Davis does in fact credit Jackson for his adherence to the constitution, which Hettle sees as the slaveholder's mechanism for ensuring the continuance of slavery. Nevertheless, this is a relatively small portion of an otherwise lengthy speech and not the defining aspect of the eulogy. Oddly enough, Hettle also contends Davis avoided political issues like Jackson's handling of the Bank of the United States in the eulogy. As the passage above indicates, he certainly did address the issue.

[35] *Papers,* 2:279.

unsettling to southern white men. In that sense, Hettle sees Jackson as a man who came to prominence as a military leader, which means that he ordered other white men to follow his orders. According to Hettle, this type of military leadership bled into his politics because Jackson, "effectively dominated other white men both in battle and in the political arena." Moreover, Jackson's "self-fashioning as a rural patriarch, intertwined with his role as a leader of the citizens' militia, proved central to the formation of Democratic politics, especially in the South" where his political base lay.[36] Accordingly, Hettle claims Jackson can be viewed as more patriarch than democrat. Yet Davis consistently portrayed Jackson as a true democrat, not as some kind of patriarchal figure who demanded and received the loyalty of his followers. For Davis, himself an aspiring Mississippi Democrat, Jackson attained leadership because of his own strength of character and the love of his followers, not because of any desire to dominate other men.

Rather than being a patriarch, in Davis's rhetoric Jackson appears as the ultimate example of the opportunities available in America for poor whites. Davis contends that Jackson serves as "a rich consolation to those whose humble birth would have marked them in any land except our own, as 'hewers of wood and drawers of water.'" Building upon this point, Davis urges Americans to point to Jackson's legacy "as the fruit of the birth-right of freedom and equality." Davis also contends that Jackson provides, "A history teaching that he who from youth to age, will carry his heart, a ready offering to his country, who will do all, dare all, suffer all for patriotism's sake, may hope to reap all

[36] Hettle, *The Peculiar Democracy*, 6, 11. Hettle follows Eugene Genovese's interpretation that planters dominated the Old South. Consequently, he uses Genovese and others who point to planter dominance "to offer a distinct critique of the southern Democrats egalitarian rhetoric." In that respect, it is relatively easy to ask whether southern Democrats were sincere in their rhetoric, but one cannot argue that Jefferson Davis and others "spoke" in egalitarian terms when attempting to persuade their southern listeners. This seems a critical distinction when considering the authenticity of Democratic appeals.

that country can bestow." To Davis, Jackson represents the ultimate example of the poor boy who succeeds in America, and who reaps the rewards. But through his actions, he also helped others. Davis claims Jackson did not "thirst for office." Instead, he had "the abiding faith in the people he had evinced through life." To Davis, Jackson's devotion to the people won him acclaim, and made his passing all the more painful. Davis ended his eulogy by saying: "'Tis ours to pour the oblation of a people's gratitude upon the spot, where moldering sleeps the earthly form of Andrew Jackson." In Davis' rhetoric, the people mourn Jackson, and in death, he assumed a status greater than on earth.[37]

It is striking to note that Davis's eulogy Jackson never mentions the former president as a planter or slaveholder. Davis, who was also a wealthy planter, never referred that aspect of Jackson's career. The only suggestion of Jackson's later wealth as a slaveholder came by way of inference, that is, Davis's contention that Old Hickory represented the opportunities available in America for white men. In that respect, Davis's rhetoric defined Jackson not as a paternalistic leader, but as a man who valued the poor. His example showed that in America, and particularly in frontier areas like Tennessee and Mississippi, a white man of humble birth could rise in society because of political and social equality. In Davis's rhetoric, Jackson represents the very essence of social mobility.

Whether Davis truly believed such sentiments is harder to discern. But as historian Edwin Miles notices, Mississippi passed one of the nation's most democratic state constitutions in 1832, and that "no other state possessed greater rights of participation in the operation of their governments."[38] Jefferson Davis courted votes in

[37] All quotes from *Papers,* 2:280-281.
[38] Miles, *Jacksonian Democracy in Mississippi*, 43.

just this atmosphere. In fact, three months after his eulogy of Andrew Jackson, Davis traveled the state again as an official candidate for the United States House of Representatives. At that point, the political opposition certainly questioned Davis's veracity as an orator. The Holly Springs, Mississippi *Gazette*, a Whig newspaper, on September 20, 1845 questioned Davis's authenticity and the ethics of his persuasive appeals. After first conceding that Davis had been impressive when he toured the district the previous year as a presidential elector for Polk, the *Gazette* took an altogether more sinister view of his oratorical abilities one year later as the Democratic candidate for Congress. The *Gazette* labeled Davis a "locofoco," a common sobriquet for the radical wing of the Democratic party, and concluded that he merely recited his party's position on the major issues of the day, including the post office law, the tariff of 1842, and expansion into Texas, Oregon, and California.[39] On these and other issues, the *Gazette* opined that Davis "is possessed of far more demagoguism than talents." Despite some lingering admiration, the *Gazette* concluded: "Mr. D[avis]. is a handsome speaker and would, we have no doubt, if he would lay aside some of the super-abundance of demagoguism of which he is in possession, make a very efficient debater; but as it is, his objects to mislead and deceive the honest yeomanry of the country are so plain, that all who listen to him soon become convinced of his object, and, of course, his speeches do not have the effect intended by the speaker."[40]

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[39] As a Whig newspaper, the *Gazette* labeled Davis a locofoco to discredit him. Nevertheless, Davis ran strongly in Marshall County--the district that encompassed Holly Springs-- in the election later that year. *Papers,* 2:358. *Gazette* quotes from *Papers,* 2:338. The *Gazette* also suggested that Davis's view on national expansion was loaded with racist overtones. "He isº in favor of Texas, Oregon and California, and every other country as soon as it becomes sufficiently settled by the hardy sons of the Anglo Saxon Race." Holly Springs *Gazette*, September 20, 1845, quoted in *Papers,*2:338.

[40] *Papers,* 2:338.

This type of assessment is to be expected from political opponents, but oddly enough, Davis's own wife shared the opinion that Davis crafted his messages to a particular audience. Varina Howell Davis reported that as a speaker, her husband was unmatched in connecting with a crowd. She explained: "He had one power that I have never seen excelled; while speaking, he took the individuality of the crowd, and seeing doubt or a lack of coincidence with him in their faces, he answered the mental dissonance with arguments addressed to the case in their minds."[41] As Varina Howell Davis and the Holly Spring *Gazette* suggest, Jefferson Davis's ability to adapt and connect with an audience could be viewed favorably or negatively depending upon the observer.[42] One suggests an honest attempt to reach different audiences, something any effective speaker or politician must do, while the other concludes a wealthy southern planter pandered to poorer yeoman to further his political career. In a sense, these two views cast important interpretations about the persuasive powers of the man who emerged from Mississippi Democratic party circles and became a southern leader in the years before the war.

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[41] Varina H. Davis, *Jefferson Davis, Ex-President of the Confederate States of America: A Memoir By His Wife*, vol. 1 (New York, 1890), 215. Varina Howell Davis also made more sweeping assessments of Davis's speaking style. She noted that Davis "was a parenthetical speaker, which was a defect in a written oration, but it did not, when uttered, impair the quality of his speeches, but rather added a charm when accentuated by his voice and commended by his gracious manner. At first, his style was ornate, and poetry and fiction were pressed from his crowded memory into service; but it soon changed into a plain and stronger cast of what he considered to be, and doubtless was, the higher kind of oratory." Quoted in ibid., 214-15.

[42] Their views on Jefferson Davis's rhetorical abilities notwithstanding, Varina Howell Davis and the Holly Springs *Gazette* editor Thomas A. Falconer shared one trait, a healthy suspicion of Democrats. Varina came from a prominent Mississippi family of Whigs and had preconceived notions about the social standing of most Democrats. In a letter to her mother, she wrote that upon meeting Davis, she was surprised by his party affiliation: "Would you believe it, he is refined and cultivated, and yet he is a Democrat." Varina Banks Howell to Margaret K. Howell, 19 December, 1843. Letter published in *Papers,* 2:53.

Chapter 3: Davis's Rhetoric in Transition, 1848-58

> "I was prompted by my sense of duty to myself, of duty to those whom I have the honor to represent, of obligation to the principles avowed as the basis of my political creed, and which are the cardinal points by which my political course must be directed."[1]
>
> Jefferson Davis, July 1848

Jefferson Davis won election to the United States House of Representatives in 1845, resigned his seat for military service in the Mexican War, and after the war returned to Mississippi a distinguished war veteran. In December 1847, he was appointed to the United States Senate by the Mississippi legislature to fill out the remainder of a term. The state legislature formally elected him to the Senate the following year. But even as a prominent war hero and United States Senator, Jefferson Davis remained predominantly a state or regional figure until he was appointed secretary of war in Franklin Pierce's cabinet in 1853. With that role, Davis emerged as arguably the nation's most recognizable southern advocate, and--inarguably--a national figure. Nearing the end of the Pierce Administration, Davis again sought a seat in the Senate, and the Mississippi legislature elected him to a six-year term starting in 1857.

This chapter investigates Davis's rhetoric at two distinct points in the antebellum years, across a span of ten years. The first part of the chapter investigates Davis's rhetoric in 1848, addressing the U.S. Senate on the Oregon Bill, which, like other controversies of the era, dealt with the issue of slavery in the territories. Davis's arguments on the Oregon Bill reflect many of his views in the late 1840s. The other rhetoric considered in this chapter comes from Davis's extended tour of the North in 1858. On that tour, Davis spoke to numerous northern audiences in New England and

[1] Quoted in James T. McIntosh, ed., *The Papers of Jefferson Davis*, vol. 3 (Baton Rouge: Louisiana State University Press, 1981), 333. Hereafter *Papers*.

New York. The dynamics of the trip represent an interesting study in sectional politics and culture. Davis's rhetoric in New York City to a group of northern Democrats represents many of the themes he addressed throughout his tour. The oratory from that tour indicates the ways in which a southern spokesman addressed the sectional issues of the day in the North. Davis's words from the trip also demonstrate the political consequences of speaking out at all in the heightened political atmosphere of 1858. Nevertheless, the oratory under consideration coincides with Davis's emergence as a sectional leader. He clarified and sharpened his arguments in these years and spoke to a wider audience. Davis's rhetoric in the late antebellum years demonstrates persuasive appeals to a national audience. His oratory in these years builds on earlier concepts and explores new arguments. In the process, Davis's words illuminate the oratory that preceded it, and foreshadow his later oratory as Confederate president.

In 1848, Davis was a regional political figure. Fellow senator John Calhoun of South Carolina remained the South's most recognized political voice, while Davis acclimated himself to the institution. But Calhoun was nearing the end of his career, and he sought to enlist others to carry the burden of defending the South in Congress. In one particularly telling exchange from earlier that year, Calhoun chided younger southern Senate colleagues for not rising to oppose legislation that he felt supported abolitionists. As a longtime defender of slavery Calhoun said he "had hoped that younger members who have come into this body, who represent portions of the country at least as much interested as that from which I come, might have taken the lead, and relieved me from the necessity of ever again speaking upon this subject."[2] Mississippi's Jefferson Davis

[2] *Congressional Globe*, Thirtieth Congress, First Session, Appendix (Washington, D.C., 1948), 501.

apparently took Calhoun's words to heart. Taking the floor minutes later, Davis replied to Calhoun and others that he did not presume to speak on an issue of such importance to southerners out of respect for the elder sectional leader from South Carolina. Davis said: "I have only to say that it is from no want of accordance in feeling with the honorable Senator, but from deference to him who has so long and so nobly stood foremost in defence of the institutions of the South, that I remained silent. It was rather that I wish to follow him than that I did not feel the indignation which he has so well expressed."[3] As this exchange demonstrates, Davis and many other southerners viewed Calhoun as the de facto sectional leader. But at the same time, Calhoun was aging and within two years would pass from the scene. Southern political leadership was in generational flux and new leaders were starting to find their voice.

Three months after Calhoun's admonishment to his younger southern Senate colleagues, Davis addressed the Senate in his most compelling argument to date. On July 12, 1848, Davis spoke on the Senate floor in opposition to the Oregon Bill, which, like many other debates of the era, centered upon expanding slavery into the territories. The Oregon Bill speech provides an expansive overview of Davis's beliefs while at the same time representing his longest recorded comments to date in the Senate. The speech is also notable in that it represents the first time in his congressional career that Davis explicitly rose to defend slavery.[4] Until the Oregon Bill speech, Davis had confined

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[3] Davis's remarks of April 20, 1848 in *Papers,* 3:314.

[4] *Papers,* 3:332. A few weeks before, in a very brief exchange in the Senate then debating the *Pearl* incident, Davis strongly disagreed with fellow Mississippi Senator Henry Foote about the likelihood of slave insurrections. During the debate, Foote threatened to hang colleagues—or anyone else--who might support abolitionism and dare venture into his home state. Foote argued that abolitionism risked agitating the "fiery front" of servile insurrection and must therefore be stopped. He put abolitionists, or their sympathizers, on notice that they were in danger of being hanged in Mississippi. For his part, Davis claimed Foote painted an unrealistic portrayal of the danger of servile insurrection. Davis argued that slaves in the South were content and that there was no overwhelming fear among slaveholders of

himself to relatively brief remarks on issues such as expanding the standing army, supporting a tough bargaining stance in the border dispute with Mexico, and opposition to federal internal improvements on the Ohio River.[5] Few of his first Senate speeches strayed from narrow points of legal, military, or constitutional matters surrounding the particular legislation at issue. Davis's rhetoric in opposition to the Oregon Bill provides insight into a much larger set of political, cultural, constitutional, intellectual and social issues. The speech also provides a view of the manner in which Davis defended slavery intellectually in front of political colleagues, many of whom had different views. The rhetoric in the Oregon Bill addressed national issues, and Davis elaborated on many of the pressing issues of the era in words that would make him a national figure. One of Davis's biographers, William C. Davis, characterized the Oregon Bill speech as the "greatest address of his life thus far."[6]

Jefferson Davis rose to the floor of the Senate to defend slavery by means of an amendment to the Oregon Bill. The previous month, Senator John P. Hale of New Hampshire--a free-soiler and former Democrat--proposed another amendment that the provisions of the Northwest Ordinance extend to Oregon. Hale's provision would have effectively barred slavery in the territory. Davis argued forcefully against Hale's amendment and vigorously sought to defend slavery and southern interests against what he perceived were northern attempts to monopolize power in the Union. He explained his sense of urgency about the subject in the following manner: "I was prompted by my

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insurrection. "I have no fear of insurrection; no more dread of our slaves than I have of our cattle," he said. Nevertheless, Davis certainly did not defend the actions of abolitionists. He claimed, "It was the insult offered to the institutions which we have inherited, that provoked my indignation." Davis's remarks from Senate debate on April 20, 1848 found in *Papers,* 3:315.

[5] *Papers,* 3: 254-6, 257-61, 264-5, 277-88, 295-301, 318-324.

[6] William C. Davis, *Jefferson Davis: The Man and His Hour* (New York: Harper Collins, 1991), 179.

sense of duty to myself, of duty to those whom I have the honor to represent, of obligation to the principles avowed as the basis of my political creed, and which are the cardinal points by which my political course must be directed."[7] Despite invoking it, Davis never specifically explains his political creed during the speech. But the issues he touches upon, and his means of persuasion are themselves reflective of that unexplained creed.

In the process of defending slavery, Davis addresses several prominent themes that come to dominate the speech. Among those themes is the rhetoric of "equality," to include different entities and meanings. Davis's rhetoric mixes the personal and political meanings of equality so that the concepts appear to fuse together. Another theme in Davis's rhetoric is a broad interpretation of property rights that argued all property was at risk by national legislation. The third theme is Davis's explanation of labor and capital, and their relationship to race relations. The fourth theme is an oddly argued paternalistic defense of slavery that more reveals slavery as an entrepreneurial enterprise. Finally, Davis once again invokes Thomas Jefferson the Founder, but in this instance only to show a sense of pessimism about the future of the Union.

Jefferson Davis's rhetoric on the Oregon Bill has important implications for interpretations of the Old South. Davis's rhetoric reveals the type of political, social and economic views of one of the Old South's most important leaders. One of the central features of Davis's rhetoric is his use of the term "equality." Typically the standard argument among southern and northern partisans in the antebellum years was that the spread, or denial, of slavery in the western territories threatened to upset the national

[7] Davis quotes from the Oregon Bill speech come from *Papers,* 3:332-369.

balance of free and slave states. Davis, as a southerner, argues that slavery should be allowed to extend into the territories, adhering to the tenet of sectional balance. With that in mind, Davis opens his speech with a statement on this subject that sounds rather typical of the era. He asks: "Shall jealousy, discord, and dissention—shall political strife, for sectional supremacy—be permitted to undermine the foundation of our republican fabric?"[8] Of course, for Davis and other southerners, the North is striving for sectional supremacy and to upset republican values. Those southern values consist of representative government among a compact of the states that limit the power of the federal government. While this argument for sectional balance is typical of the antebellum years, Davis soon after begins to use another common rhetorical strategy to argue his point. In arguing for national political balance, Davis, like other participants in the national debate--including Calhoun--utilizes the democratic language of the revolution and antebellum periods as he accuses the North of ruining the sectional harmony. The sectional issue, in other words, comes down to the principle of equality.

Davis asks the following loaded question: "Shall a discrimination against one section of the Confederacy, the palpable object of which is totally to destroy political equality, be sanctioned by the common agent of the States?" On its face, this statement stresses the states' right doctrine articulated by Calhoun since nullification, because the federal government is nothing more than a "common agent" for the more powerful states in a confederation. But at the same time, Davis labels the sectional balance a matter of political equality. The North threatens to "destroy political equality" by stopping the spread of slavery. Using a southern argument that would resurface years later in the Dred

[8] Ibid., 332.

Scott case, Davis says: "For the first time in our history, has Congress, without the color of compact or compromise, claimed to discriminate in the settlement of the territories against the citizens of one portion of the Union and in favor of another."[9] Davis's view is that when the federal government chooses sides on an issue like slavery in the territories, inequality is the natural result. And if not stopped immediately, this system will lead to perpetual inequalities among the states, including the privileging of some citizens over others. In a democratic age, the issue, therefore, is strictly about equality among the sections.

Davis followed in a line of southern strategists when he made such arguments. Calhoun, the South's most conspicuous sectional leader through most of the antebellum years, also referred to the national balance between the sections in terms of "equality." But while Calhoun voiced similar language, he uses the term less frequently, and for altogether different effect. For example, in a speech he delivered the previous year, February 19, 1847, Calhoun urged fellow Senators to strive for sectional "equality" in a speech against restricting slavery in the territories. He argued that the federal government "was formed that every State as a constituent member of this Union of ours should enjoy all its advantages, natural and acquired, with greater security, and enjoy them more perfectly." He explained:

> The whole system is based on justice and equality—perfect equality between members of this republic. Now can that be consistent with equality which will make this public domain a monopoly on one side—which in its consequences, would place the whole power in one section of the Union to be wielded against the other sections of the Union? Is that equality?[10]

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[9] Quotes ibid., 332-3, 334.
[10] Clyde N. Wilson, ed., *The Papers of John Calhoun*, vol. 24 (Columbia: University of South Carolina Press, 1996), 172.

Calhoun, in other words, spoke the language of equality, but in a more limited sense. Calhoun's notion of equality between the sections appeared more systemic, part of a larger sense of justice prevailing among the member states of the Union. Used in this sense, the notion of equality among the states is distinct from the notion of individual equality, despite sharing the same language.

Nevertheless, Calhoun also referred to the idea of sectional balance in more specific terms, warning of dire consequences if it were lost. Calhoun contends that the end of sectional balance likely meant the end of the Union's social order: "Sir, the day that the balance between the two sections of the country—the slaveholding States and the non-slaveholding States—is destroyed, is a day that will not be far removed from political revolution, anarchy, civil war, and wide-spread disaster." Calhoun's equation was simple: the breakdown in sectional balance would inevitably lead to the breakdown of the old order. He feared above all "anarchy" and "wide-spread disaster" if the balance of the Union fails. From his perspective, there was only one responsible actor in the Union, and it was the South. Calhoun believed the South alone protected the governing system, and by extension, the social order. "The balance of this system is in the slaveholding States," he said. "They are the conservative portion—always have been the conservative portion—always will be the conservative portion; and with a due balance on their part may, for generations to come, uphold this glorious Union of ours."[11]

In many respects, Calhoun seemed to celebrate this measure of the South's conservatism. Perhaps this is the aspect of Calhoun that scholars like Eugene Genovese notice most. For Genovese and his interpretation of the paternalism and hierarchical world of the

[11] Ibid.

planters, Calhoun's "claims to greatness" rests on the presumption that he was the large slaveholders' most ardent political defender.[12] Two days after crediting the "conservative" South for upholding the social order and the Union, Calhoun, on February 21, 1847, refuted the charge that southerners caused friction in the Union. As an illustration, he cited the case of a foreign traveler who planted an idea in his mind that had taken root over time:

> I was, in this connection, much struck many years ago by a remark made by one of four young English gentlemen, who passing through this city spent some evenings with me—of whom Lord Stanley [Earl of Derby] was one. We were conversing about the cause which for so long a time had kept this Union together in peace and harmony. It was regarded as a wonderful phenomenon that a country of such vast extent and of such numerous population, should have passed through so many years under free and popular institutions, without convulsion or a shock. Lord Stanley, without any suggestion or leading remark of mine, said that it was owing to the Southern States, and that it was their conservative tendency that preserved us from disorder.[13]

In Calhoun's view, the South's major gift to the Union was its conservatism. Calhoun's conservatism was premised upon states' rights, property rights to include slaves, a strict reading of the Constitution on certain issues, and something historian Clyde Wilson calls "the sectional comity of the Monroe years—cooperation and forbearance and not the seeking of advantage."[14] Ironically, Calhoun embraced the image of the South as guardian of the established order even when he argued for sectional balance in the democratic-sounding term of "equality." But by 1847, Calhoun's rhetoric of "equality" had no relation to a sense of individual equality, most notably enshrined by Jefferson in the Declaration of Independence. Calhoun's thinking on such issues had shifted over the

[12] Eugene Genovese, *The World The Slaveholders Made: Two Essays in Interpretation* (New York: Pantheon, 1969), 136.
[13] *Papers of John Calhoun,* 24:191.
[14] Ibid., xi.

years. Historian Lacy Ford argues that, while Calhoun had started as an advocate of universal white manhood suffrage, and at points in his career championed against economic privilege, he was squarely "on the conservative side" in his later career.[15] This is certainly indicative of Calhoun's use of the word "equality." In the late 1840s, Calhoun's equality was limited to balance between the sections in the national government.

Calhoun's use of the term "equality" brings up the major point of departure between his rhetoric and that of Jefferson Davis. In a sense, Calhoun used the term to argue for regional balance, not in any individual sense. He argued that to restrict slavery in the territories was to curtail the "common property" of some members of the Union. Calhoun's argument that the territories represented "common property" placed him on shaky political and legal grounds. As a matter of fact, political opponents like Stephen Douglas justifiably discredited Calhoun's argument that the South, or any section, would be entitled to common property.[16] Nevertheless, it is important to note that regardless of the merits of this argument, some of the South's greatest thinkers shaped the idea. The historian Clyde N. Wilson traces this line of Calhoun's argument back to Thomas Jefferson's famous 1820 letter to John Holmes, better known for the Sage of Monticello's fear that growing sectionalism over the slavery issue was "a fire bell in the night" and that he "considered it at once as the knell of the Union."[17] Oddly enough, Jefferson's letter to Holmes--in which he lamented the palpable sectional friction during the period

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[15] Lacy K. Ford, "John C. Calhoun and the Southern Political Tradition," in *Is There A Southern Political Tradition?* Ed., Charles Eagles (Jackson: University Press of Mississippi, 1996), 5.
[16] Historian Harry Jaffa explains how Stephen Douglas discredited Calhoun's argument in the same debate two years later. Jaffa writes: "When Calhoun in 1850 spoke of the rights of the South in the common territories of the nation, Douglas resoundingly denied that the South or the North had any such rights. The Constitution, he said, knows only the states and the people." Harry V. Jaffa, *Crisis of the House Divided* (New York: Doubleday, 1959), 62.
[17] *Papers of John Calhoun*, 24: x.

leading to the Missouri Compromise in 1820--spelled out a line of argument that weaved its way into the rhetorical arguments of Calhoun, and later into the oratory of Davis.[18] Merit aside, Jefferson Davis's argument against the Oregon Bill in 1848 threads its way throughout southern thought, back to the Founders.[19]

But it is important to consider that Calhoun used the term "equality" in a way detached from any personal meaning. On the other hand, Jefferson Davis, who like Calhoun used the term when arguing for section "equality," also utilized the term in its more common Jeffersonian usage—"equality" of the individual. Arguing against the larger implications of Hale's amendments to the Oregon Bill in 1848, Davis mixed these different notions of equality:

> Here upon the threshold we must resist, or forever abandon the claim to equality of right, and consent to be a marked caste, doomed, in the progress of national growth, to be dwarfed into helplessness and political dependence. As equals, the States came into the Union, and by the Articles of Confederation, equal rights, privileges, and immunities were secured to the citizens of each; yet, for asserting in this case that the Federal Government shall not authorize the destruction of each equality, we have been accused of wishing to claim for the citizens of the southern States unusual rights under the Constitution.[20] (Underlined for emphasis)

As this short passage from the Oregon Bill speech indicates, Davis makes a striking number of references to "equality" and "equal" rights. Davis's usage also connotes numerous meanings. In these various usages, the meaning of equality extends to the

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[18] A copy of Jefferson's letter to Holmes appears in the Appendix of this paper.

[19] Davis, Calhoun and other southerners also found Jefferson an intellectual guide in his handling of the Virginia and Kentucky Resolutions. William C. Cooper claims Davis considered the resolutions his "political creed" with their emphasis on "states' rights, limited federal powers and strict construction of the Constitution." See William C. Cooper, *Jefferson Davis*, *American* (New York: Knopf, 2000), 85. For reinterpretations of the Virginia and Kentucky Resolutions see K.R. Constantine Gutzman, "The Virginia and Kentucky Resolutions Reconsidered: 'An Appeal to the Real Laws of Our Country,'" *Journal of Southern History* 66 (August 2000): 473-496; H. Jefferson Powell, "The Principles of '98: An Essay in Historical Retrieval," *Virginia Law Review* 80 (April 1994): 689-743. Powell explains the Republicans intellectual formulation of the policy of strict construction, a policy that southerners like Jefferson Davis argued in the Oregon Bill speech and over the course of his life. See also Stanley Elkins and Eric McKitrick, *The Age of Federalism* (New York: Oxford University Press, 1993), 720-721.

[20] *Papers,* 3: 334-5.

sectional balance, states rights' and to individuals. Of these three usages, the strangest argument is Davis's premise that state equality traced to the Articles of Confederation, notwithstanding the fact that the Constitution nullified the compact. But in seeking to establish the precedent for the states' equality, Davis dusts off the failed Articles as evidence of the philosophy.

Perhaps more importantly, Davis's rhetoric reflects a significant shift from Calhoun's argument for section equality. In other words, when Davis argued for sectional "equality," he explains the concept in personal terms. He contends that if the sectional balance is lost the people of the South will "forever abandon the claim to equality" and become "a marked caste, doomed, in the progress of national growth." While Calhoun's usage of "equality" connotes a more detached meaning of governmental balance, Davis personifies the concept of sectional "equality" by linking the South with the individual. The individual in this case is being pushed into a lower caste in the national order. Southerners become a lower caste when slavery is curtailed in the territories and the sectional balance is tipped to the North. But the concept of caste is antithetical to Jefferson's language from the Declaration of Independence professing equality of the individual. In that respect, Davis's use of a metaphor for individual equality makes the comparison more striking.

Davis continued by linking the situation southerners face in the late 1840s to the Founders' desire to separate from England in 1776. He explained that it was not political representation the Founders sought from Parliament, but rather "to maintain the freedom and equality which could not be secured by a hopeless minority in common legislation." He contends the Founders formed their own government "to preserve each equality

among the different sections and interests as would secure each from aggression by the others." Davis, like many orators of the era, consciously compares the South's grievances to the Founders' arguments, notwithstanding the fact that he continues to discount the premise that the Constitution fundamentally shifted the relations between the federal and state governments. Yet he also implies that southerners would be justified in leaving the Union if they continue to lose ground politically to the North. Davis justifies this contention in reference to the Founders, who, upon gaining freedom, sought to establish a government, of which "the object most sought was, the security which would result from equality." In an odd history lesson, Davis also purports to know the Founders' motives for separating from Britain. He claims: "No, sir, it was fraternity, not strife—it was the sovereignty, the equality, and the prosperity of all the States, for which the men of the Revolution made their sacrifices, both of war and peace." The Revolution, in this sense, appears as an early battle in the fight for states' rights rather than a battle for individual liberty. Similarly, Davis later asserts, "If fractious opposition and sectional disregard of the common good have been able thus to obliterate the great landmarks—equality among the States and non-interference with domestic affairs—in so brief and such partial enjoyment of power, how can we expect moderation and forbearance?" Once again, Davis's rhetoric suggests that the Revolution itself had more to do with state balance than individual liberty. But it also questions the staying power of the nation, which appears to have forgotten the lessons of the Revolution.[21]

Beyond the metaphorical usage of equality that relates the concept to the region or state, Davis specifically used the concept in its more traditional egalitarian sense. In

[21] All quotes ibid., 339-40, 352, 354.

other words, his usage is more indicative of the individual equality that Jefferson enshrined in the Declaration of Independence and that society further debated in the Jacksonian Era. Davis argued for slavery in the territories strictly upon the liberal ideal that citizens are afforded "equal rights, privileges, and immunities" by the Constitution. He manages to link the denial of slavery in the territories to an infringement upon individual rights and equality. This distinction presents the boldest point of departure from Calhoun's rhetoric for extending slavery into the territories. While the South Carolinian Calhoun argues for the extension of slavery by giving the conservative bona fides of southern slaveholders, Davis—from the newly settled state of Mississippi--speaks to liberal notions of equal rights and privileges for a broader set of white men. In this sense, the rhetoric of Calhoun and Davis might reflect the political cultures of their respective states. Or, it might indicate more of Calhoun's conscious "conservatism" as he aged. It is apparent that Davis's rhetoric speaks to considerably different motives. Nevertheless, this distinction in their rhetoric becomes that much clearer when Davis argues for property rights.[22]

Davis also pursued the defense of slavery by including a broad interpretation of property rights, an understanding that certainly included the ownership of slaves as a basic right guaranteed by the Constitution. He argues that the Constitution—now taking precedent in his rhetoric--protects property rights of all kinds. In fact, if one denies this fundamental national right, the entire Constitution is tainted. For Davis, it is an all or nothing proposition. "The Constitution protects all which it recognizes, or none," he claimed. One of Davis's more telling arguments is his claim that the federal government

[22] Ibid., 334.

has no right to prohibit slavery in the territories because to do so privileges some property holders over others. Here again, he stresses that inequality and privilege are the results of any attempt to curtail property rights in any form. Davis's appeal is to poor or middling white southern farmers who seek to invest in slaves and settle in the West, a land where opportunity awaits. Along this line, Davis argues that limits to slavery "thus confine the enjoyment of its advantages" where it already exists. In other words, curtailing slavery in the territories necessarily privileges the planter who has already has slaves.[23] So while Calhoun might argue for slavery under the premise of the South's static social order, Davis argues from the more democratic perspective that might benefit a future planter. As the historian James Oakes argues, the average southern slaveholder was a small farmer, deeply enmeshed in the capitalist system and extremely mobile.[24] In this regard, Davis's rhetoric reflects the aspirations not of established planters, but of southerners who have aspirations to become planters.

Davis characterizes the attempt to forbid slavery in the territories as "a proposition so repugnant to justice, so violative of the equal rights which every citizen of the United States has in common property, [and] so destructive of the equality in privileges and immunities secured by the Constitution," that it must be rejected. Along with Calhoun, he also appears to embrace Jefferson's notion of the territories as "common property." This was the idea Jefferson elaborated in his letter to Holmes in 1820.[25] But the pedigree of the southern constitutionalism aside, Davis's argument also includes the idea that "every" citizen of the United States has an equal right to property

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[23] Ibid., 342.
[24] James Oakes, *The Ruling Race: A History of American Slaveholders* (New York: W.W. Norton, 1982), 127.
[25] Quoted in *Papers,* 3:342. See appendix of this paper for the text of Jefferson's letter to Holmes.

under the Constitution and to participate in a system dedicated to the chance of economic advancement. In this sense, Davis's rhetoric is democratic and includes a strong sense of individualism.

As William Lloyd Garrison and other abolitionists knew all too well, the Constitution became the southerners' trump card in this debate over human property. That explains why southerners like Davis found the document useful for debating the contentious issue of one person being able to own another. When discussing property rights, Davis defends the Constitution, the very document he found less relevant when discussing the nature of the compact between the states and central government. But when defending the Constitution, Davis highlights one particularly controversial clause, the compromise that led to three-fifths representation of slaves. He explained, "those who deny that there can be property in persons, are those who attack this compromise of the Constitution, and denounce it as an unequal privilege bestowed on the property of the South." Davis takes pains to refute the notion that the South holds an unfair advantage with slavery, while mentioning that the Constitution itself was about compromise between the sections, none more important than proportional counting for the slave population. Once again, it is the spirit of compromise that northerners appear to have forgotten.[26]

Davis also used the Constitution as the final word on interstate trading, a section that more explicitly referenced slavery. He noticed this was a fact many northerners neglected when they sought to prohibit slavery in their jurisdictions. "This compact of union changed the relation of the States to each other in important particulars, and gave to

[26] *Papers,* 3:352.

property and intercourse a national character," he contends. Davis buttresses this argument by quoting article one, section nine of the Constitution, which refers to ending the slave trade, but also allows for imposing a duty upon the trade.[27] Using this as proof that the Constitution put slavery well within the realm of commerce, Davis asks if that does not mean slaves were to be considered property. But in resting part of his defense for slavery under the aegis of commerce, Davis reveals the true character of his feelings about the institution. His contention that "property and intercourse" had a "national character" reveals the South's propensity to apply their concept of federalism loosely. Nevertheless, Davis believed that the Constitution was the ultimate guarantor for the protection of property.

Davis also uses the Constitution to defend the South against the charge that it sought to impose slavery in new territories. The South, in other words, sought no sectional advantage:

> To avoid the possibility of misconstruction, I repeat that we do not seek to establish slavery upon a new basis; we claim no such power for the Federal Government. We equally deny the right to establish as to abolish slavery. We only ask that those rights of property which existed before the Constitution, and which were guaranteed by it, shall be protected. [28]

Davis articulates the South's constitutional argument, except that he seeks the right to property that came before the Constitution. What that means is not particularly clear in his rhetoric, except to say Davis applies the Constitution somewhat loosely. Nevertheless, Davis continued to stress property rights as a fundamental sense of fairness. Like other southerners, Davis argued that the Constitution guaranteed Americans certain property rights that must be recognized as the federal government established territories

[27] Ibid., 335-6.
[28] Ibid., 338.

into which American citizens had a legal right to settle. At the same time, Davis's ultimate goal appears to be the end of all federal slavery legislation, whether the right to "establish" or "abolish" the institution. In a larger sense, he argued that the federal government needed to remain neutral in the argument, despite the active role he and other southerners demanded of the government when the debate turned to fugitive slaves.

Despite this type of fluidity in his interpretation, one of the most striking aspects of Davis's rhetoric is the extent to which he tries to link slavery to all other property. As he had argued for slavery's protection under the Constitution's commerce provision, Davis similarly attempts to wed the institution to other cherished American values like property rights. His rhetoric points to a worst-case scenario: that the federal government might seek to revoke all forms of property. "The union of the States into one Confederacy gave no power to destroy local rights of property, or to change the conditions of persons," he argued. Instead, Davis claims the government's responsibility was "to protect and preserve the existing rights of property and relative condition of persons, by extending the limits of their recognition, and enlarging the provisions for their security." Davis claimed that to revoke the property rights of slaveholders was to endanger all forms of local property. But in a larger sense, by rallying to the defense of slavery upon commerce and property rights, both provided for in the Constitution, Davis appears to seek out common ground with all Americans.[29]

Like many politicians and theorists of the antebellum period, Jefferson Davis was concerned about the relationship of labor to capital. Throughout the Oregon Bill speech, Davis sought to defend slavery as a kinder labor system than capitalistic free labor. He

[29] Ibid., 342.

therefore seeks to deflect criticism of the South's slave system towards the North's emerging industrial capitalist labor system. Moreover, like other southerners, most notably the conservative critic George Fitzhugh, Davis favorably compared the treatment of slaves to the miserable plight of capitalist workers the world over. In this respect, Davis echoed Calhoun, who had also defended slavery by explaining that the South had none of the labor strife found in the North. But Calhoun also explained this in the context of the South's "conservatism" in the relationship between labor and capital.[30] Davis's appeal in the Oregon Bill is not altogether different from Calhoun's, but he again left out such charged words as "conservative." Rather, he argues slavery was not as economically viable as free labor. In an argument that suggests paternalism, Davis claimed: "It may be taken as a general rule, that involuntary service is less profitable than voluntary labor." Nevertheless, Davis's paternalism never lost sight of capitalism. In that sense, he described the slaves as a having a unique place in the southern economy: "Slaves are capital; and in the mind of the master, there can be no contest between capital and labor—the contest from which so much of human suffering and oppression has arisen." The slaves' position as another form of "capital" leaves them protected in a way that a more rigid separation between labor and capital cannot.[31] In a more general sense, Davis mixes ideas of capitalism and paternalism in the attempt to reconcile two very important features of slavery—the institution's profitability, and the seeming need to

[30] *Papers of John Calhoun,* 24:174. For example, in his speech before the Senate on February 19, 1847, Calhoun explained that in the South, "labor and capital are identified. There the high profit of labor, but increases the means of the master to add to the comfort of his slaves, and hence in all conflicts which may occur in the other portions of the Union between labor and capital, the South will ever be found to take the conservative side."
[31] Both quotes *Papers,* 3:356, 358.

justify or deny that profitability. It is an argument that no slaveholder argues convincingly.

Davis's rhetoric often reflects the fact that he was sensitive to the various arguments against slavery. Nonetheless, he discounted the view of some of his northern colleagues who "have spoken of the spirit of the age as opposed to slavery." Yet as one who claimed to practice what might be considered "liberal" slave management in the antebellum South, Davis appears open to new ideas.[32] His rhetoric on the Oregon Bill speech is striking in the manner it engages then current arguments about labor and capital head-on. For instance, Davis refuted the growing free-labor sentiment among northern whites.[33] He pointedly asks: "Why is it assumed that slavery degrades labor, and its presence excludes the white laborer?" His answer claims that the North projected its own lamentable race relations upon the South: "It may be true as regards the whites and free blacks of the North, that they will not toil together: there is rivalry between them."[34] On this point, Davis might have been correct about the fear of northern white laborers that blacks might take their jobs. But it was likely no less true of southern white workers who often associated certain types of labor with the slave. Nonetheless, the potential rivalry among northern laborers leads to one of Davis's most compelling points about the South: "In the slave States there is an equality among white men which cannot exist where the same race fill the places of master and menial. The white laborer is elevated by having a

[32] Quote ibid., 356. Davis and his brother Joseph were noted for their modern ideas on slave management. Historian William C. Davis attributes this to active reading and a chance encounter Joseph Davis had with the British industrialist and utopian Robert Owens in 1825. William C. Davis, *Jefferson Davis*, 78-9.
[33] For the best explanation of the free-labor ideology, see Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War* (New York: Oxford University Press, 1970).
[34] *Papers,* 3:357.

caste below him."[35] The South, in other words, represented a place where all whites could be politically, socially and economically equal. The South had no "menials" other than the slaves. Here Davis describes what some scholars call Herrenvolk democracy, where white men ostensibly share the benefits of equality because they are privileged over a lower caste.[36] It is likely no coincidence that Davis also had used the threat that the South might become a lower "caste" if sectional balance were ruined because those who owned slaves considered the prospect the worst-case scenario for a white man. Davis and other southern democrats therefore spoke of equality among white men premised upon the enslavement of another race.

When Davis took the Senate floor in opposition to the Oregon Bill, he claimed he consciously broke an unwritten rule among men of the South. "It has been usual for southern men to decline any discussion about the institution of domestic slavery," he explained, "however vituperative and unfounded the accusations made against it." While agreeing in principal with the prevailing silence on the subject, Davis noted that southerners were the most familiar with their home institution, and as such, "I propose on this occasion to depart from the ordinary practice."[37] Given the fact that just months before John Calhoun had complained that he was always forced to speak on the topic of slavery, Davis's claim about this veil of southern silence seems rather dubious.[38] Nevertheless, Davis argued he had no choice but to speak out:

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[35] Ibid., 358.
[36]For an a larger explanation of Herrenvolk democracy see George Frederickson, *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914* (New York: Harper and Row, 1971); Kenneth P. Vickery, "'Herrenvolk' Democracy and Egalitarianism in South Africa and the U.S. South," *Comparative Studies in Society and History* 16 (June 1974):307-328; and Shearer Davis Bowman, "Antebellum Planters and Vormarz Junkers in Comparative Perspective," *American Historical Review* 85 (October 1980):779-808.
[37] *Papers*, 3:360.
[38] Debate on the Pearl incident found in *Congressional Globe*, Thirtieth Congress, First Session, Appendix,

> The question is forced upon us by our northern brethren to such extent that silence, if persevered in, might be construed into admission of the truth of their accusations. In debates in Congress, by the press, by Legislatures of the States, in the pulpit, and in primary assemblies it has become customary to denounce slavery as a political evil; as a burden on the Government; as the sin and opprobrium of the nation; as destructive of good order and human advancement; as a blighting curse on the section where it exists, and a gangrene extending its baleful influence to every portion of the Union.[39]

Against the backdrop of this type of criticism, Davis defends slavery upon the traditionally southern notion of paternalism. As Eugene Genovese has argued in his extensive studies of the antebellum South, many southern slaveholders consciously viewed themselves as paternalistic guardians of their slaves.[40] Davis considered himself a kindly, paternal slaveholder, even when he described a system where his slaves were "capital" and in which he would routinely sell slaves. Nevertheless, in the Oregon Bill speech, Davis defends slavery as a positive good for the African race, a typical argument of the era. He argues that blacks become elevated under the slave system by their contact with whites.

But Davis contends that the slaveholder's paternalism is imperiled by national politics that seeks to limit the growth of the institution:

> To confine slavery to a small district would go further than any other means to strip it of its kind paternal character; when the master would no longer know his slave, when the overseer would have the proprietor's power, then would disappear many of the features which commend it to those who have been reared amidst it; then would steadily diminish the feeling promotive of emancipation, and the power to effect it. It has been from the association with a more elevated race that the African has advanced; it has been from their mutually kind offices that the master has in many instances liberated his slave as a mark of affection.[41]

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[39] *Papers,* 3:360.
[40] Eugene Genovese, *The World the Slaveholders Made* and *Roll, Jordan, Roll* (New York: Vintage, 1975).
[41] *Papers,* 3:355.

Like other southerners, Davis developed many different arguments to support the spread of slavery. In that respect, it is not altogether surprising that one of his strongest arguments against legislation like the Oregon Bill is that limiting slavery in the territories threatens the relationship between the slaveholder and slave. Davis essentially argues that limiting the spread of slavery would lead to a situation whereby large slaveholders increased their holdings, and therefore become more detached from their slaves. Moreover, like Jefferson, he reasons that stopping the spread of slavery would effectively kill any chance at a gradual emancipation. Davis claims that slaves should never be emancipated in an area where they have concentrated. That explains at least part of his odd argument that spreading slavery would eventually lead to its end. Moreover, despite the fact that Davis--and many other southerners—depict slavery as a net good, he nonetheless appears to hold gradual emancipation as the ideal outcome. In fact, limiting the spread of slavery virtually assures that the best possible option for slaves will never be fulfilled.

But beyond such seemingly paternalistic justification is an even more extraordinary democratic argument. Davis again claims that confining slavery where it exists essentially assures that large slaveholders from established states will continue to dominate. Beyond that, Davis argued that the largest slaveholders—those from established slave states--are likely the worst owners because they have so little contact with their slaves. Despite the fact that he was himself owned a large plantation in Mississippi (and as a Senator in Washington was therefore an absentee owner), Davis suggests the established planter was what ailed the system. His rationale for this claim rests in the fact that the biggest planters had a layer of white overseers under them that

were likely to become despotic in the master's absence. The ironic feature of this argument lies in the fact that the poorer white—in this case represented by the overseer—only becomes problematic in Davis's rhetoric when slavery is limited. Poorer whites are apparently to be trusted as slave owners expanding into new territories, but not as overseers in established states where the position of overseer threatens to make them despotic.[42]

Davis also contradicts his statements about the eventual goal of emancipation and argues that blacks cannot survive independently. Consequently, they will likely never be released en masse as bound laborers were in Europe. But despite the pronounced paternalistic concern for the continuation of the black race, racial fear lurks behind much of this premise. In that sense, Davis claims slaveholders provide a service for the rest of society: "But our slaves are a distinct race, physically differing so much from ourselves that no one can look at their emancipation without connecting with it the idea of removal of the races. When they cease to be profitable, we cannot, like the ancient Britons in the case of the villains, say, Be free, and see, with the announcement, all cause for distinction cease."[43] At one level, Davis speaks to protecting the slaves, while at the same time asserting that their race precludes the notion they might ever enjoy freedom. His words also indicate that slavery itself is profitable, and that even if those profits ceased, race would preclude emancipation.

Davis grants that some slaves are abused in the South. But he contends this is not a problem native, or exclusive, to the South. As a matter of fact, the situation is much worse for free-laborers.

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[42] Ibid.
[43] Ibid., 356.

> The power to oppress dependents exists in all countries, and bad men everywhere abuse the power. In no relation which labor bears to capital is such oppression better guarded against than in that of master and slave. There is in it all which naturally excites the forbearance and kindness of the generous and the good; and, this failing, there are considerations of interest, of pecuniary advantage, to restrain the sordid and the vicious, which do not exist in cases of hired laborers.[44]

Once again, in the language of capital and labor, Davis defends the kindness of slaveholders in a way that appears decidedly less paternalistic and more capitalistic. Davis suggests that slaveholders are driven principally by the "forebearance of kindness and the good." But if "forebearance of kindness" and the "good" fails, the fact that the slave is an expensive piece of property likely prevents abuse. The slaveholders' "interest" in slaves and desire for "pecuniary advantage" act to restrain those owners who might lose their benevolent disposition. Hired laborers have no such protection.

Davis also speculates that those who seek to end slavery are not ideologically motivated, nor are they concerned about the welfare of slaves. In fact, he sees hypocrisy and other more nefarious objectives behind those who profess to be anti-slavery:

> What prompts to your agitations? Not an instinctive opposition to involuntary servitude, as is shown by your readiness to give validity to the Mexican laws over California and New Mexico, and thus continue the peon system, far more harsh and repulsive to my mind than our domestic slavery: liable to the same abuses, but without the controlling restraint which interest and the relation of permanent dependence creates in the case of the slave. [45]

The new territories opened up several issues and Davis contends that anti-slavery advocates are hypocritical when they sought to end slavery while willingly accepting other forms of exploitative labor in the territories. But he overlooks the fact that opposition to annexing Mexican land came principally from the North. Davis nonetheless argued that the peonage labor practiced in the newly acquired territories

[44] Ibid., 355.
[45] Ibid., 365.

shared the same potential for abuse by the unscrupulous, while offering none of slavery's "controlling restraints." The major difference between the labor systems was that the slaves were "property," which gave owners a vested interest in their welfare.

After discounting the fact that it was ideological concerns that drove northerners to oppose slavery in the territories, Davis also seeks to refute any humanitarian impulse. With that in mind, he questions if it was "love for the African," that lay behind northern opposition to slavery? Davis's answer to this rhetorical question is unambiguous: "No! His civil disability, his social exclusion, the laws passed by some of the non-slave States to prevent him, if free, from settling within their limits, show, beyond the possibility of doubt, that it springs from no affection for the slave." He likewise asks northerners: "Is it the moral conviction that there cannot be property in persons?" In response to this question, he harkens to the earliest days of the slave trade: "No, you imported Africans and sold them as chattels in the slave-markets, and you are constantly objecting to their representation as persons in the councils of the Federal Government."[46] Davis similarly accused the North of selling slaves South after the institution became less economically viable. That makes northern opponents of slavery at best hypocritical. Of course, many of these arguments neglect the fact that the North's opposition to slavery evolved over time, making practices that had once been considered acceptable now completely unacceptable. Davis instead deduced that northern opposition was strictly political. In a sense, Davis's comments reflect the fact that while his view on slavery remained relatively static, so did his view of the North. Those views made the sectional conflict centering around the Oregon Bill all the more dangerous.

[46] Quotes ibid., 365-6.

Jefferson Davis spoke on the Oregon Bill in July 1848 just days after John Calhoun, in a speech on the Senate floor on June 27, read aloud a letter from Thomas Jefferson. Jefferson's 1820 letter to Holmes warned that the sectionalism engendered by the slavery question threatened the very future of the nation. Jefferson also sketched a defense for "common property" rights in the territories that leaders like Calhoun and Davis shaped into their own rhetoric. One of the more striking features of Davis's speech on the Oregon Bill is the way he used Jefferson as the iconic southern agrarian slaveholder. But in his letter to Holmes, Jefferson the Founder had no faith in the future of the nation. Jefferson in 1820 heard the "knell of the Union," and Jefferson Davis, speaking a quarter century later, shared his pessimism. Davis issued this warning to his fellow Senators in his speech: "But if personal considerations govern our actions—if each Senator reflects the prejudice and extreme opinion which may exist in the section he represents—then it may be our lot to witness the fulfillment of the foreboding fear of Mr. Jefferson, when such agitation as that which surrounds us caused him to express the apprehension, that the sacrifices of the generation of 1776 had been made in vain." Davis makes clear it is northerners seeking to arrest the spread of slavery who threaten the legacy of the Revolution: "Theirs is the policy so deeply and sadly deprecated by Mr. Jefferson, when he spoke of a geographical line coinciding with a marked principle, moral and political, which every new irritation would mark deeper and deeper." Davis, in invoking Jefferson, argues that "folly, and fanaticism, and pride and hate, and corruption of the day" threatened to destroy the peace and prosperity of the Union. He concluded his speech by remarking that if the amendment he supported were defeated, "I shall view it as ominous of the future, and stand prepared for whatever consequences may

follow."[47] In 1848, Davis stood in the political shadow of John Calhoun arguing about the future of slavery and the fate of the nation. Calhoun and Davis both looked for advice to the writings of Thomas Jefferson, the quintessential southern planter and slaveholder. As it stood, all three of these southern leaders were pessimistic about the future.

1858 Tour of the North

Despite his success as both a politician and planter, Jefferson Davis never enjoyed good physical health. As a young Mississippi planter Davis contracted malaria that nearly killed him, and throughout his life he suffered bouts of nearly debilitating neuralgia and assorted ear and eye ailments that frequently limited his physical activities. Davis's ailments reappeared and receded over the years, but in 1858 his physical condition worsened just as Senate debates on the Lecompton Constitution intensified. During the Kansas debates in February 1858, Davis developed an eye infection that put his vision in jeopardy and kept him bedridden and depressed for weeks. But by April, his health improved and he returned to the Senate, attending sporadically for several weeks until he resumed a regular schedule the following month. Nevertheless, when the Senate adjourned for summer break in June 1858, Davis's doctor recommended that he spend the vacation in a cool climate to allow for an extended recuperation. Davis decided to head north, traveling with his wife and two children to stay the summer in Maine.[48]

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[47] All quotes ibid., 333; 358; 369.

[48] Cooper, *Jefferson Davis, American*, 288-290. Davis, a slave owner, apparently brought his black servants with him when he traveled to the North. Although William Cooper does not address the subject, an invitation Davis's wife Varina received while in Maine requested that the couple plan a side trip to visit friends at the military academy at West Point. The invitation mentioned there would be "abundant room for your children, nurses & c." Dunbar Rowland, ed., *Jefferson Davis*, *Constitutionalist, His Letters, Papers and Speeches,* vol. 3 (Jackson, Miss.: Mississippi Department of Archives and History, 1923), 282. Hereafter*, Jefferson Davis, Constitutionalist*.

The trip to Maine, with stopovers in Massachusetts and New York, also had a decidedly political function. Davis spoke several times to northern audiences, mostly at Democratic party gatherings. By 1858, Davis was arguably the South's leading spokesman and some commentators speculated that his trip north that summer revealed his intentions to run for president in 1860. For his part, Davis denied that there were political motivations behind his northern tour and continued to stress that his trip was for recuperation only.[49] Nevertheless, considering that Davis spoke frequently to party gatherings and that his speeches from the trip were published in a compilation the following year, it is impossible to ignore the larger political implications of the northern tour.[50] Whatever motivations lay behind Davis's decision to travel north, the tour unfolded as a significant political endeavor.

Davis's rhetoric from the northern tour is indicative of the turbulent sectional and party politics of the late 1850s. The speeches also represent the ways in which a prominent southern Democrat tried to navigate in a rapidly changing national political environment. Davis delivered at least nine speeches on his tour. His orations ranged from an impromptu Fourth of July speech aboard the ship that transported him north, to several carefully argued speeches in front of state Democratic party gatherings in Maine, Massachusetts and New York. Regardless of the circumstances or the particularities of the individual oratorical event, the speeches from the 1858 tour are provocative because they offer a glimpse at how a southern politician spoke to northern audiences at a time

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[49] In a speech at Portland, Maine on September 11, 1858, Davis denied rumors that political motivations were behind his tour of New England. He also denied these charges in a speech a month later. See Lynda Lasswell Crist and Mary Seaton Dix, eds., *The Papers of Jefferson Davis,* vol. 6 (Baton Rouge: Louisiana State University Press, 1989), 214; 224.

[50] *Speeches of the Hon. Jefferson Davis of Mississippi, Delivered During the Summer of 1858* (Baltimore, 1859).

when the nation continued to fracture along sectional lines. In that respect, these speeches from 1858 explain how Jefferson Davis spoke for southern values in the North, the section many increasingly viewed as hostile territory.

Traveling in a highly charged political environment, Davis tried to stress matters that united the sections. No matter the occasion for the speech, Davis reinforced a theme of patriotism as he ostensibly sought to allay the movement towards dissolving the Union. Davis's first speech from the tour, delivered on July Fourth to the assembled passengers and crew of the *Joseph Witney*, in some ways set the rhetorical tone of the trip. A report noted that Davis spoke proudly of America as a "home of liberty and the asylum of mankind." He also counterpoised the strength of "our common country" in 1858 to the "feeble and separate colonies of 1776" who were not united and therefore much more vulnerable to outside powers. With the stakes of disunion so high, Davis condemned "trifling politicians in the South, or in the North, or in the West" who might seek to destroy the bond of the Union. Moreover, in imagery evoking the origins of the nation, Davis portrayed the country as a "united people" against a common enemy like Britain, whose navy in the 1850s boarded American ships in the Gulf of Mexico under the guise of stopping the slave trade.[51] To Davis, the British tactics were particularly galling because the United States had been the first nation "to raise its voice" against the slave trade. Davis argued that the British practice harmed commerce of all sorts and that Americans roundly objected to the policy. He maintained that the British stopped the practice only when confronted by a united nation who would no longer stand for such actions. Noting the successes when the nation remained united, Davis encouraged his

[51] Historian William C. Davis, characterizes these British moves as nothing more than "adventuring on the seas" and suggests that the comments continued Jefferson Davis's long-held "Anglophobia." William C. Davis, *Jefferson Davis,* 251.

generation to be worthy of their ancestry and "build higher and wider this temple of liberty."[52]

Davis repeated this type of patriotic message in nearly every speech he delivered on his extended tour of the North. Davis also continued to argue for the preservation of the union even after he learned that ardent states' rights advocates back in the South took exception to some of his patriotic rhetoric on the northern tour. Many of those strident southerners were miffed at reports of Davis's Independence Day speech with its characterization of the "trifling" politicians who sought to destroy the Union. In that sense, it appeared that some of Davis's rhetoric from the northern tour left him vulnerable to criticism from an increasingly aggressive group of states' rights southerners who charged that he was not a strong enough advocate for the region.[53]

Nevertheless, despite such criticism from southern Fire Eaters, it is equally apparent that Davis was never naively patriotic in his northern rhetoric. Davis's biographer William Cooper suggests that the speeches in the North were optimistic in tone, while at the same time "tempered by reality."[54] But these speeches went far beyond pragmatism. As the tour progressed, Davis continued to speak glowingly of the nation and its traditions and of freedom and commerce, while at the same time offering specific and acerbic criticism of those who threatened the nation's future. Along the way, Davis lost any pretense of regional balance or mutuality in his rhetoric. In the tour's later speeches, southern agitators were largely ignored and the blame directed squarely at northern politicians and abolitionists. To Davis, there was no sense that patriotism required mutual concessions or reciprocity. In that respect, Davis exhibited an

[52] Quotes from *Jefferson Davis, Constitutionalist,* 3:271-273.
[53] Davis to Arthur C. Halbert, 22 August 1858 in *Papers,* 6:204-05.
[54] Cooper, *Jefferson Davis, American*, 292.

exceedingly southern-oriented brand of patriotism in 1858.[55] Moreover, on the northern tour, he frequently implied that, if Republicans won the presidency in 1860, the South would leave the Union. This meant that the threat of disunion always loomed in his rhetoric, no matter the patriotic sentiments that might accompany such threats. But just as often, Davis's rhetoric was vague enough to be able to deny charges of disunion if the nation somehow averted war.[56]

Despite the fact that Davis's patriotism had its limitations during the tour, he felt politically threatened by the criticism his northern speeches received from extreme states' rights advocates. In the wake of his tour, Davis therefore felt compelled to answer the critics about the depth of his commitment to the Union. Upon returning to Washington from his tour, Davis subsequently traveled to Mississippi to offer an explanation of his northern speeches and to ensure his future political support.[57] But as he explained the rhetoric from the northern tour in his home state of Mississippi, Davis took an altogether different tone. His rhetoric in the South was much more precise than in the North.

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[55] William Cooper's biography portrays Davis as a reluctant secessionist, which by some southern standards, he was. But as Davis himself moved throughout the 1850s, his patriotism was limited to his party's political dominance. Any party that might permanently prevent the spread of slavery into new territories marked the boundaries of Davis's patriotism and necessarily the end of the Union.

[56] For example, in an earlier speech on the tour, Davis said that if "the unbridled will of the majority in Congress is to be supreme over the States; we should have the problem which was presented to our Fathers when the Colonies declined to be content with a mere representation in parliament." But he left the solution to that "problem" unstated. *Jefferson Davis, Constitutionalist,* 3:298 Only in Davis's final speech of the tour, delivered in New York City as he traveled back to Washington, did he specifically mention the possibility of southern secession. In the speech, Davis said that if one section continued to usurp "new powers" over another, that other section might--like the Founders--"resort to revolution." Quoted in *Jefferson Davis, Constitutionalist,* 3:335. Davis made sure to recount a version of this line in front of the Mississippi legislature as he set about explaining some of the controversial aspects of his northern speeches. Here he reported that he had argued that the South would "redeem our rights even if it be through the process of revolution." Ibid., 357-358.

[57] When Davis eventually returned to Mississippi, he said he expected to see himself criticized in "Black Republican" publications who had for years "assailed me with the low abuse" but not from the South. Davis claimed he simply sought to reach out the hand of friendship to northerners, most of whom welcomed him with "generous approaches." He claimed that to denounce those who welcomed him "would have been inconsistent with the character of a gentleman." Ibid., 340. Davis implied that he was misquoted in the report covering the Fourth of July speech. He also suggested that he never intended to characterize states' rights advocates as "trifling politicians."

Speaking in front of the Mississippi legislature in November, Davis gave his own course of action if, or when, an abolitionist were elected president. In Mississippi, he left no ambiguity about the limits of his patriotism:

> Whether by the House or by the people, if an Abolitionist be chosen President of the United States, you will have presented to you the question of whether you will permit the government to pass into the hands of your avowed and implacable enemies. Without pausing for your answer, I will state my own position to be that such a result would be a species of revolution by which the purposes of the Government would be destroyed and the observance of its mere forms entitled to no respect. In that event, in such manner as should be most expedient, I should deem it your duty to provide for your safety outside of a Union with those who have already shown the will, and would have acquired the power, to deprive you of your birthright and to reduce you to worse than the colonial dependence of your fathers.[58]

In this, as in other speeches before the war began, abolition was the threat to the nation because it threatened the continuance of slavery. Moreover, Davis was in favor of secession just as soon as the Democratic party lost the executive branch because in a larger sense, abolitionists and Republicans were one and the same to him. In his Mississippi speech, Davis launched into an indictment of the "so-called Republican party" as the institutional center for abolitionist views. Davis considered Senator Seward the "master mind" of the party and a man who sought to "dislodge" the Democrats from office because the party protected slavery.[59] Worse still, Seward and the Republicans tried to secure their political goals through scare tactics directed at white laborers. Davis argued that Seward "seeks to alarm his auditors by assuring them of the purpose on the part of the South and Democratic party to force slavery upon all the States of the Union."

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[58] Ibid., 356.

[59] In the Mississippi speech, Davis spoke of Seward with great contempt, despite the fact that he was a fellow Senator who had visited him while he was bedridden with his severe eye inflammation earlier that year. See Cooper, *Jefferson Davis, American*, 258.

Davis called this type of accusation "absurd," and suggested it was an example of the lengths Republicans would go to dislodge the Democrats.[60]

Whether he considered the arguments absurd or not, Davis addressed several of Seward's strongest criticisms of slavery in the November 1858 speech to the Mississippi legislature. Originally designed as an opportunity to explain his northern rhetoric, Davis also used it to assess the political opposition. After first calling Seward a "dangerously powerful man," Davis reported that he "describes the institution of slavery as degrading to labor, as intolerant and inhumane, and says the white laborer among us is not enslaved only because he cannot yet be reduced to bondage." Davis refuted Seward's criticisms of slavery in familiar rhetoric:

> Where he (Seward) learned his lesson, I am at a loss to imagine; certainly not by observation, for you all know that by interest, if not by higher motive, slave labor bears to capital as kind a relation as can exist between them anywhere; that it removes from us all that controversy between the laborer and capitalist, which has filled Europe with starving millions and made their poorhouses an onerous charge. You too know, that among us, white men have an equality resulting from a presence of the lower caste, which cannot exist where white men fill the position here occupied by the servile race. The mechanic who comes among us, employing the less intellectual labor of the African, takes the position which only a master-workman occupies where all the mechanics are white, and therefore it is that our mechanics hold their position of absolute equality among us.[61]

With some refinements, the language Davis used to refute Seward in 1858 was nearly identical to arguments he had used ten years before in Senate debate on the Oregon Bill. Once again, Davis defends slavery as the kindest source of labor in the capitalist system because it is in the interests of slaveholders to provide for their slaves. Davis also maintains that slavery in the American South ensured there were no wide social or economic distinctions as in the capitalist societies of Europe. White laborers in particular

[60] *Jefferson Davis, Constitutionalist,* 3:357.
[61] Ibid., 357.

benefited from the slave system because they gained equality from the blacks' lower status. Davis argued that whites would always be elevated in the South because there would always be a "caste" below them. But given Davis's argument about the benefits of slavery for whites, he never explains why Seward's claim about the spread of slavery seemed so "absurd" to him.[62]

Perhaps it was important for Davis to reiterate this point in Mississippi, but he used a related argument two months earlier in front of an audience of Democrats in Portland, Maine. On September 11, Davis warned Maine Democrats of the "contradictory course" of their political opposition, and its likely aims. According to Davis, the Republican agenda included several destructive features:

> At the same time they proclaim war upon the slave property of the South, they ask for protection to the manufacturers of the staple which could not be produced if that property did not exist. And while they assert themselves to be the peculiar friends of commerce and navigation, they vaunt their purpose to destroy the labor which gives vitality to both; whilst they proclaim themselves the peculiar friends of laboring men at the North, they insist that the negroes are their equals; and if they are sincere they would, by emancipation of the blacks, bring them together and degrade the white man to the negro level.

By 1858, Davis believed that the Republicans had already declared war on the property of the South and the prosperity of the nation. Northerners sought protections for manufacturers and the destruction of slavery, the very institution that provided the "vitality" to the American economy through international trade. As Davis explained it, Republicans would ultimately degrade whites to the status of the blacks if slavery did not continue to flourish.[63]

In a larger sense, Davis's address to the Maine Democrats and his later description of Seward's Rochester speech seemed to offer northern whites two rhetorical

[62] Ibid., 357.
[63] Quotes ibid., 298.

alternatives that were superficially different, but actually much the same.[64] On the one hand, Davis warned northern whites that emancipation would make blacks their equals because the slaves would be elevated, while whites were subsequently degraded. Meanwhile, Seward's Rochester speech suggested that expanding slavery would eventually denigrate white labor, in effect reducing whites to the level of slaves. Both arguments suggested that blacks would become the equal of white men if the other side prevailed politically. Davis's rhetoric therefore reflects various strains of American society's white supremacist views, each pulling at the allegiances of the electorate in the summer and fall of 1858.

As we have seen, Davis, like many other states' rights southerners, essentially believed that a Republican victory in any future election would mark the end of the Union. Basically, he considered the Democratic party the last guardian of the Union. On the northern tour he repeated that the Democrats were the "only national party," which he contrasted to the sectional Republican party, disinterested in the nation's best interests. Consequently, Davis depended upon northern Democrats, much like his old boss Franklin Pierce, to defend the interests of the South, and the Union.[65]

Davis's final speech in New York City is indicative of the rhetoric he used throughout the tour. Davis gave the speech to a boisterous group of New York Democrats on October 19, 1858 at the Palace Garden Meeting. Eyewitness reports put

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[64] In Seward's October 25, 1858, Rochester speech he claimed the slavery issue was an "irrepressible conflict" and argued that southerners sought the spread of slavery throughout the nation.

[65] See examples of Davis calling the Democrats the only national party in *Jefferson Davis, Constitutionalist,* 3:284, 298. Davis also claimed that in his northern tour, "I heard in many places, what previously I had only heard from the late President Pierce, the declaration that whenever a Northern army should be assembled to march for the subjugation of the South, they would have a battle to fight at home before they passed the limits of their own State, and one in which our friends claim that the victory will at least be doubtful." Ibid., 358.

the audience at "about five thousand persons."[66] When introduced to the assemblage, Davis claimed he did not plan to speak at the party gathering, an assertion he made in most of his other speaking engagements on the northern tour. But by the time Davis reached New York, he had honed much of the rhetoric from his travels through New England. So in a way, the Palace Garden Meeting represents a synthesis of much of the earlier speeches from the tour. At the same time, the speech was the culmination of Davis's attempts to reach northern audiences. New York was then, as now, the nation's largest city and a Democratic stronghold, which insured that the speech to the party faithful would receive more popular and media scrutiny than his previous speeches. Finally, it would be the last time Jefferson Davis addressed a northern audience directly.

Davis addressed five major themes in his speech to New York City Democrats. The themes included: patriotism; a call for localism; an analysis of party differences; a general defense of slavery; and a denunciation of higher law politicians. In one form or another, he had elaborated on all these subjects in previous speeches from the tour and the New York speech represented his last attempt to sway the northern electorate with such issues.

Davis again celebrated American patriotism, albeit with more pessimism about the nation's future. Davis started his speech by commending the patriotism of Amasa J. Parker, the Democratic candidate for Governor of New York who proceeded him on the podium. Davis noted that Parker made "an appeal to the common sense of the people in favor of that fraternity on which our Union was founded, and on which alone it can long continue to exist." Davis also said he saw in the crowd's affirmation of patriotic rhetoric

[66] *New York Times* October 20, 1858.

hope that the nation could forget "the struggle which has so long agitated the country, and prompted the internecine war against your countrymen." To be sure, these comments suggest that he was of two minds about the nation's future, stressing the potential for harmony, but suggesting that the South was already under siege. Noticing this crisis, Davis asked the crowd to rally to his cause, which he defined "as the cause of our country, it is the cause of democracy, it is the cause of human liberty." Davis compared the unity of "our fathers who went through the revolution, prompted by a common desire for the common good, and animated by devotion to the principal of popular liberty" with the politicians of his day who selfishly sought to exploit sectional differences. Davis argued that tensions could end by awakening the patriotism in those selfish politicians.[67] Davis mixed feelings of optimism and pessimism throughout the speech. At one point during his address, he was interrupted by a procession of the Young Men's Democratic National Club. In an impromptu aside, Davis said that he saw hope for the future in the young men's faces. But he followed these words with a lament that his generation "seems too deeply steeped in the trickery of politics to be able to rise above the influence of personal and political gain into the pure field of patriotism." To Davis, selfish personal and political gain lay behind the sectional strife, and the patriotism offered the only remedy. Nevertheless, Davis asserted that patriotism essentially involved intolerance towards, and the defeat of, the Republican party. If the nation was to survive, northerners needed to stop anti-slavery agitation, the basic element of a greater plan for exploiting the South.[68]

[67] Ibid.
[68] Ibid.

Part of Davis's appeal to patriotism was based upon fear. Much as in his July Fourth oration, Davis argued that disunity bred danger for the United States, and could give back to Britain the victory won in the American Revolution. He suggested that American abolitionism was part of a British plot, and that free trade and commercial power were the nation's greatest strength and accomplishments.

> The delusion which has always excited my surprise the most has been that which has led so many of the northern men to strike hands with the British abolitionists to make war on their southern brethren. If they could effect their ends, and Great Britain could insert the wedge which should separate the States, what further use would she have for the northern section? You are the competitors of Great Britain in the vast field of manufacture, whom she most fears, and though she may be with you in the scheme which would effect a separation of these States, yet the moment that separation should be effected she would be under the promptings of interest your worst enemy.

Davis argued that a divided Union was no match for Great Britain, and the North had the most to lose if pitted head-to-head against the European power. This was an argument aimed squarely at economic insecurities, and the manufacturing North was the section most at risk. To Davis, abolitionism in America was a sort of Trojan horse sent by Britain to destroy national unity and the nation's economy. He compared the prospect that the British might divide and conquer the individual sections of the country to the actions of the Founders, who "reclaimed us from colonial bondage to national independence." Davis maintained that the Founders fought the British for the common interests of the states. Furthermore, in their wisdom the Founders deemed that free trade would prevail throughout the nation, an element that gave the states a common interest.[69]

Davis also argued there was another component of patriotism at risk in the sectional conflicts, and that was the move towards expansive imperialism. As he saw it,

[69] Ibid.

the Union's capacity for expansion under the system of government devised by the Founders was jeopardized by sectional strife. "We are held together by that two-fold government, which is susceptible of being made perfect in the small spheres of State limits, and capable of the greatest imperial power, by the combination of these municipal powers into one for foreign action," he said. Davis argued that the more the Union became entangled in sectional conflict, the less likely it was to expand. In the process, the nation squandered the chance to widen its borders and spread the American "form of government such as the wit of man never devised until our fathers." For Davis, the Constitution encapsulated the Founders amassed "inspiration" and so he consequently challenged his listeners "to see that each provision of that Constitution is cordially and faithfully observed." If so, he argued that not even the "powers of hell and of earth combined" could ruin the prosperity of the people of the United States. As part of his patriotic vision, Davis asked his listeners to imagine the flag of the United States with new stars, which would add to the "brilliance" and record the growth of the nation's "political family." He argued that the country could grow over land and seas, and that "the progress of American principles, of human liberty illustrated, and protected by the power of the United States, will hold its way to a triumph such as the earth has never witnessed." Davis's expansive view of imperialism meant that slavery might follow the flag and open up new economic opportunities for all. Nonetheless, after explaining his vision for an unlimited imperial expansion by the world's greatest nation, Davis reminded his audience of the Union's current situation. He asked how the nation looked at that time, and answered the question with a statement about the future completely at odds with that which had preceded it. In the present, Davis saw "a picture so black that if

I could unveil it, I would not in this cheery moment expose a scene so chilling to your enthusiasm, and revolting to your patriotic hearts."[70]

Another theme that Davis addressed in the New York speech, and in virtually all the others from the northern tour, was the issue of localism. Early in the Palace Garden speech, Davis told his audience that he would not speak about any of their local issues specifically because he was a visitor from Mississippi. Davis told the New York Democrats that he had "too great a respect for community independence" to "mingle in the consideration" of their local issues and instead sought to address issues that were "common to us all." Davis grew more specific about the issues associated with localism when he said, "To each community belongs the right to decide for itself what institutions it will have." He similarly argued that each community as "people sovereign within their own sphere" had the right to decide a basic definition of property.[71] Davis's rhetoric represented an obvious attempt to suggest that there be reciprocity in the practice of outsiders not commenting on local issues. Ironically, Davis discussed the issue of slavery exhaustively with those he posited had no say in the matter.

Davis based the principle of localism not on the Constitution but upon the Declaration of Independence, much as he argued throughout the antebellum years and into the Confederacy. As Davis explained: "The power of each people to rule over their domestic affairs lies at the foundation of that Declaration of Independence to which you owe your existence among the nations of the earth; that declaration which led your fathers into and through the war of the revolution." He credited the Declaration for making the colonies "independent States," which then united in a compact. But to Davis,

[70] Ibid.
[71] Ibid.

the Declaration still had tremendous relevance and even continued to shape the South's political creed. He maintained that the Declaration "constitutes to-day the doctrine of State rights, upon which it is my pride and pleasure to stand." Davis's praise for the abolitionists' and the Republican party's favorite text was part of his desire to appropriate all the nation's sacred documents to his pro-slavery arguments.[72]

In response to earlier accusations that the South and the Democratic Party sought to spread slavery into free states, Davis reflexively denied that the South had any such intentions. He labeled it an "extreme absurdity" that their opponents sought "to excite you upon the ground of southern aggression upon the North." Davis insisted: "We have nothing to aggress upon." Davis's "we" here refers to southerners, who he claimed had steadily been losing power in the government. That was not always the case because the South once had the power to "interfere with your domestic institutions," Davis maintained. But the South never used the power even when it might have. "If we had the power now, true to the instincts and history of our fathers, we would abstain from intermeddling in your domestic affairs," he argued. The South, in other words, was true to the nation's heritage.

Davis also believed that localism allowed for the ultimate right of secession. But in his New York speech he spoke of this hypothetically without referencing the sectional disputes. He addressed the subject in relation to the Founders, who "struggled against the mother country, because that country endeavored to legislate for the colonies and the colonies° refused to submit to unconstitutional legislation." This principle was still sacred in the 1850s: "If now, in this struggle for the ascendancy in power, one section

[72] Ibid.

should gain such predominance as would enable it, by modifying the Constitution and usurping new power, to legislate for the other, the exercise of that power would throw us back into the condition of the colonies." Revolution would again be the proper course. He argued that "if in the veins of the sons flows the blood of their sires, they would not fail to redeem themselves from tyranny even should they be driven to resort to revolution."[73] Davis had by this point dropped the first person plural "we" when referring to the South and instead took a much more detached third person "they" to argue for the right to secession. This was a much more circumspect statement than he gave himself credit for later that fall in his speech to the Mississippi legislature.[74]

Part of Davis's purpose in speaking to a crowd of partisans was to draw distinctions between the major parties. Davis claimed that the major party differences fell into two major categories. He claimed the political opposition sought "interference with the negroes of other people, and interference with the rights now secured to foreigners who expatriate themselves and come to our land." In the later issue, Davis references the Know Nothing and American parties that still concerned the New York Democratic party.[75] These two issues present interesting contrasts because they represent two vastly different constituencies within the antebellum Democratic party. Southerners were primarily concerned with slavery, while immigrant voting was more of a concern in the North. Davis's rhetoric on the issues demonstrates how a southern Democrat tried to bridge the sectional gap within his own party. The Republicans, Davis's true opposition,

[73] Ibid.
[74] *Jefferson Davis, Constitutionalist*, 3:357-8.
[75] Other Democratic speakers that night referenced the nativists, and the event even included a German speaker to address the issue. See *New York Times*, October 20, 1858.

would come to disavow the policies of the Know Nothings precisely because the issues were so divisive.

To this northern audience, he once again stressed that the South did not live in fear of their slaves. In the South, slaves were contented, and in fact, "We lie down to sleep trusting them to our defence." Davis again compared slaves to "cows" and "oxen" who lived peacefully among their masters, arguments he had made in Senate debate ten years earlier in response to his Mississippi colleague Henry Foote's assertion that the South lived in constant fear of servile insurrection.[76] According to Davis, politicians risked the peace despite the fact that slaves themselves were content.

Davis meant to indict the political opposition for every aspect of the sectional controversy. For instance, when discussing the differences between the parties, Davis railed against congressional attempts to designate property in the territories. Davis's rhetoric here references the Dred Scott decision from the previous year, but he does not address the case specifically as he did in Mississippi later that fall.[77] Davis also began to include Congress as part of his larger discussion of the political opposition, a point that illustrated how tenuous the South's politics were in 1858. Davis claimed that Congress ruled with a "despotic hand over the inhabitants of the Territories." He again claimed the territories as "common property" of the Union and argued to this audience of northerners that "you and I are equal; we are joint owners" of the territories. Davis ignored the various sectional compromises over the years and argued that Congress had absolutely no right whatsoever designating what property was allowed in any of the territories. Davis also insisted that because constitutionality was at stake in the "property" issue, the courts

[76] Quotes ibid. Reference to the debate on the *Pearl* incident from *Papers,* 3:315.
[77] *Jefferson Davis, Constitutionalist,* 3:348. In Mississippi, Davis denied the charge by northern politicians that the Dred Scott decision meant that slavery would be practiced in the North.

should decide the matter. Perhaps more than anything else, his rhetoric on this point showed how confident southerners were about the jurisprudence of the Supreme Court. However, in arguing about slave property in the territories, Davis suggested why conspiracy theories about the spread of slavery might seem plausible to northerners. Davis spoke with great authority when he opined, "Congress has not the power to establish or prohibit slavery anywhere." In the wake of the Dred Scott decision, nearly forty years of compromises over the issue of slavery in the territories amounted to nothing.[78]

Davis drew a sharp distinction between the parties on immigration policy. Here, he made an appeal to a traditionally Democratic constituency when he argued that, as with slavery, Congress had no right to impose voting limitations on immigrants. Ironically enough, immigrant rights represented an issue that had far more local appeal in New York than in the South, but Davis addressed the issue because he claimed the political opposition had made voting restrictions a national issue. Davis argued that states alone set the criteria for who was to be an eligible voter. "The power of Congress is limited to the establishment of a uniform rule of naturalization throughout the States," he said. Once those naturalization laws were set, Congress had no say over the "question of suffrage." But Davis also saw something more sinister at work in the issue. He argued that the political opposition sought to couple their attempt to establish national voting standards with a desire to "exclude paupers and criminals from abroad." Davis maintained that paupers and criminals came to the country not for the vote, but "for bread, or to fly from the laws which they have violated." He argued that immigrants

[78] *New York Times*, October, 20, 1858. For a recent explanation of the national legal issues in the late 1850s, see Don Fehrenbacher, *The Dred Scott Case* (New York: Oxford University Press, 2001, first published 1978).

would come to America irrespective of their voting privileges upon arrival. All of which meant that Democratic opponents sought to establish which immigrants they considered "paupers" or "criminals" strictly for political advantage. Davis then made a strong appeal to the Democratic voters about who ought to be considered American:

> Is a man a pauper merely because he comes here without property, without money in his purse? Go, look along your lines of internal improvements, where every mile has mingled with it the bones of some foreigner who labored to create it. Go to your battle fields, where your flag has been borne triumphantly, and where fresh laurels have been added to the brow of your country, and there you will find the sod dyed as deep by the blood of the foreign born as by that of the native citizen.

He asked if in any of those scenarios there might be the "pauper you desire to exclude?" Davis claimed that many of those labeled as "criminals" fled political oppression from "despotic governments in their native lands." He then compared current immigrants to the Huguenots, to Soule, "the stern American orator," and to others who had participated in "more recent struggles for liberty in Europe." In this respect, he argued that America should not blindly accept other nation's definitions of criminality, while at the same time realizing that the nation could not become the outlet for the poor houses and prisons of the world. "But we do war against the use of terms that delude the people, and are intended to exclude the high-spirited and hard-working men who contribute to the bone, the sinew, and the wealth of the country," he said. In Davis's rhetoric, the major difference between the parties was that Democrats embraced these "high-spirited" and "hard-working" immigrants. But in another sense, this type of argument might be a bid to convince northern Democrats that more than slavery is at stake in the political battles.[79]

[79] *New York Times*, October 20, 1858.

One of Davis's stronger themes in the New York speech, and indeed throughout the northern tour, was the denunciation of politicians who appealed to higher law on the issue of slavery. In the New York speech he warned that "the seeds of narrow sectionality and purblind fanaticism," threatened the nation. Here, Davis likely responded to Amasa Parker, the New York Democrats candidate for governor, who had quoted the abolitionist Joshua Giddings advocating servile insurrection in the South.[80] Davis therefore called attention to the danger that lurked in northern society:

> You have among you politicians of a philosophic turn, who preach a high morality; a system of which they are the discoverers, and it is to be hoped will long remain the exclusive possessors. They say, it is true the Constitution dictates this, the Bible inculcates that; but there is a higher law than those, and call upon you to obey that higher law of which they are the inspired givers.

Davis labeled these politicians "traitors" to the Constitution and to the Founders, and insisted that they "perjured the oaths they have themselves taken." He claimed their ultimate goal was to see their countrymen's blood on their hands. Nevertheless, "these are the moral law-givers who proclaim a higher law than the Bible, the Constitution, and the laws of the land." But far from being moral, "This higher-law doctrine, it strikes me, is the most convenient one I ever heard of for the criminal." Davis then warned his listeners that at the present, higher law is only used in "its relation to property of the Southern States, thus it is pill gilded, to conceal its bitterness." He insisted the principle would eventually do great harm in the North as well, because "every man of vile temper," "low instincts," and "base purpose" can find in his own heart a higher law than that

[80] According to the October 20, 1858, *New York Times* report, Parker quoted the Ohio Republican Giddings as saying: "I look forward to the day when there shall be a servile insurrection in the South; when the black man armed with British bayonets, and led on by British orators, shall assert his freedom and wage a war of extermination against his master; when the torch of an incendiary shall light up the towns and cities of the South and blot out the last vestige of Slavery. And though I may not mock at their calamity and laugh when their fear cometh, yet I will hail it as the dawn of a political millennium."

which is the rule of society, the Constitution and the Bible." Davis therefore urged his northern audience to take action to silence these politicians:

> These higher law preachers should be tarred and feathered, and whipped by those they have thus instigated. This, my friends, is what was called in good old revolutionary times, Lynch Law. It is sometimes the very best law, because it deals summary justice upon those who would otherwise escape from all other kinds of punishment. The man who with sycophantic face and studied phrase, and with assumed philosophic morality, preaches treason to the Constitution and the dictates of all human society, is a fit object for a Lynch law that would be higher than any he could urge.[81]

Davis urged his northern audience to handle abolitionists much like the South had done for decades.[82] Abolitionists, and any politicians who agreed with them, needed to be silenced by mob rule and Lynch Law. Perhaps more than anything else, this statement from a respected and "moderate" southern politician, addressing a northern audience, reflects the methods used to sustain the antebellum South's political and social order. For his part, Davis found the solution to political opposition in Lynch Law and suggested that New York Democrats use the method to good effect.

Conclusion:

Over the course of twenty years, from the early 1840s into the Confederacy, Jefferson Davis left a rhetorical trail that illuminates the vision he had for America and the South. Davis's rhetoric offers many important clues about the various strategies an important southern leader used to persuade the white electorate in these crucial years. The rhetoric Davis and other southern leaders used should be carefully considered when

[81] Ibid.
[82] The most extensive study of the use of violence in the antebellum years is David Grimsted, *American Mobbing, 1828-1861: Toward Civil War* (New York: Oxford University Press, 1998).

historians interpret the Old South because oratory was the most important means of political communication available to that society.

One of the more revealing aspects of Davis's rhetoric is that he depicts an Old South that is not as hierarchical and socially rigid as many have argued. In Davis's rhetoric there are frequent discussions of democratic principles for white men, and the abundant economic opportunities available to them. Whether eulogizing Andrew Jackson or rallying Mississippians in wartime, Davis's rhetoric frequently stressed democratic, and even egalitarian, ideals for white men, while at the same time stressing a type of free market capitalism whereby white men had opportunities for economic advancement. In Davis's rhetoric, slavery needed to be protected specifically because it opened economic opportunities for white men and any type of prohibition on the institution interfered with the work of the invisible hand. Davis continually stressed broad access to economic opportunities, which was itself indicative of his larger contention that white men were considered equal specifically because of slavery.

To be sure, protecting and expanding slavery drove much of Davis's political views, and that emphasis is evident in his oratory. During the antebellum years, Davis called for expansion and imperialism because more territory for slavery offered the prospect of greater profits for the South and the United States. Davis argued that the prospect of barring slavery in the territories limited the prospects for the country's economic growth while providing some with benefits not available to all. Slavery needed to expand so that small farmers and slaveholders could find new land where they might make their fortune. In a sense, Davis argued that slavery could not remain static and

continue its economic viability. Perhaps more importantly, limitations on slavery threatened its widespread appeal among southern whites.

Davis's greatest struggle over these years appeared to be his attempt to reconcile slavery as a benevolent force, while at the same time acknowledging it was predicated upon profits and the capitalist system. Slavery is not a prominent theme in Davis's earliest political appeals from the early 1840s, but by the later part of the decade he became a staunch defender of the institution. His rhetoric from the late 1840s and beyond defended slavery as some kind of benevolent force, and slaves as contented bondsmen, even as he was forced to acknowledge the profits and financial rewards inherent in the system. Davis argued that economic calculation required kindly masters and that limiting slavery would threaten such benevolence. Nonetheless, Davis's wartime rhetoric apparently dropped notions that the slaves were as docile as cattle. In the face of invasion, his rhetoric acknowledged, perhaps in backhanded ways, that African-American slaves aspired to be more than slaves. Indeed, Davis came to argue that slaves needed to be kept in line during the war, which is why he defended measures like the "20 negro" provision to the white southern populace.

Davis also addressed white women during the war in ways he never did in the antebellum years. Davis's Jackson, Mississippi speech of 1862 specifically addressed women on issues of political, social, economic and military concerns because women became crucial to the morale and the Confederate war effort. In wartime Davis targeted women in the audience and spoke to their concerns in ways that his pre-war rhetoric never had.

Jefferson Davis was an important southern leader in his day, and he remains a significant historical figure for twenty-first century Americans. His rhetoric is therefore critical to our understanding of southern history. While the issues discussed in this study merely scratch the surface of Davis's rhetoric, his persuasive attempts offer a unique window into the issues of his day if scholars are willing to listen, and analyze them closely. More importantly, Davis's words provide significant clues about antebellum southern society and the type of nation the Confederacy considered itself as it struggled for independence.

Appendix

Thomas Jefferson's 1820 letter to John Holmes, read by John C. Calhoun in Senate debate on the Oregon Bill on June 27, 1848.

To John Holmes

Monticello, April 22, 1820.

I thank you, dear sir, for the copy you have been so kind as to send me of the letter to you constituents on the Missouri question. It is a perfect justification to them. I had for a long time ceased to read newspapers, or pay any attention to public affairs, confident they were in good hands, and content to be a passenger in our bark to the shore from which I am not distant. But this momentous question, like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment; but this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper. I can say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any practicable way. The cession of that kind of property (for so it is misnamed) is a bagatelle, which would not cost me a second thought, if, in that way, a general emancipation and expatriation could be effected; and gradually, and with due sacrifices, I think it might be. But as it is, we have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other. Of one thing I am certain, that as the free passage of slaves from one State to another would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionally facilitate the accomplishment of their emancipation, by dividing the burden on a greater number of coadjutors. An abstinence, too, from this act of power, would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the Constitution has taken from them, and given to the General Government. Could Congress, for example, say that the non-freemen of Connecticut shall be freemen, or that they shall not emigrate into any other State?

I regret that I am now to die in the belief, that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I live not to weep over it. If they would but dispassionately weigh the blessings they will throw away, against an abstract principle, more likely to be effected by union than by scission, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world. To yourself, as the faithful advocate of the Union, I tender the offering of my high esteem and respect.

Thomas Jefferson

Congressional Globe, Thirtieth Congress, First Session, Appendix (Washington,D.C.,1848), 870.

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