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THE SPEAKING OF WILLIAM H. SEWARD

1845 -- 1861

Dissertation

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By

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Studies in Persuasion: Professor Wallace Fotheringham
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CHAPTER I

INTRODUCTION, LIMITATIONS, PROCEDURE

The present study is begun with a somewhat ambivalent view of the speech discipline. The author would class himself as a rhetorician, as should be obvious from the choice of subject. Yet he is aware of and interested in the behavioral science approach to the study of speaking and speakers. Such an orientation necessarily means that this study will be seeking to do more than examine the life and speaking of an orator long since dead. Hopefully, we shall concern ourselves not only with the man and his speeches but with movements and attitudes which influenced him as well as the audiences which he sought to influence. We fully accept Fotheringham's position that:

... persuasion is more typically a campaign through time rather than a one-shot effort. Exceptions can be found, as in mail-order or door-to-door persuasion, but generally an effort is seldom limited to a single message. A structured series of messages is more often developed, using varied media, message forms, and codes.¹

Therefore, while we may evaluate each of our orator's speeches as an artistic creation, we must also think of many of them as part of a series of efforts by many sources in an overall campaign. This is

¹Wallace C. Fotheringham, Perspectives on Persuasion (Boston: Allyn and Bacon, Inc., 1966), pp. xvi-xvii.
particularly true of Seward's speeches on slavery.

Some basic questions in regard to scope and specific procedure arise out of our concern for the relationship between a historical speaker and the period in which he lived and spoke. Unquestionably, historical research is like any other form of research in communication, at least to some extent. It recognizes, along with Clevenger, that:

... it is impossible to catalogue all of the possible bases from which communication strategies might be developed. However, most of them are concerned in some way with the standard communication formula of WHO says WHAT to WHOM, WHEN, and HOW, with what EFFECT. Various approaches to communication strategy place differing emphasis upon the six elements of this formula and take differing views of the elements and their relationships, but all consist of making choices concerning these six matters.²

The historical critic, then, is concerned with the source and his credibility, the message which he presents, the audience to which he delivers the message, and the observable results of the presentation.

In studying a dead orator, one must realize that speeches are not isolated acts. As Nichols has recognized, any given speech is

... an act bearing the marks of a culture at a particular time: the person doing the talking will have been conditioned by the culture of which he is a part; in purpose, matter, and manner the act will be a manifestation of the period of which it is a product. In fact, it will be the speaker's peculiar way

of responding to the times. He will recognize that time is not merely a physical fact but a social fact.3

Thonssen and Baird express it somewhat differently, but recognize just as clearly that the speech is both a historical and a social phenomenon:

... oratory functions within the framework of public affairs, and that the criticism of it must be soundly based upon a full and penetrating understanding of the meaning of the events from which it issues. Rhetoric and history, age-old partners, cannot be divorced. The critic of speeches knows that their union is indissoluble.4

The breadth of the historical critic's task, as implied above, is staggering. A "full and penetrating" knowledge of all the events which impinge upon any given speech is probably more than we can reasonably hope to achieve. When historians themselves reconstruct the same social situations and events in many divergent ways, it is unreasonable to expect the rhetorician to reconstruct accurately the total situation which gave rise to a particular speech. Such an attempt is similar to the task faced by the man who seeks to compile an exhaustive list of the "causes" of World War II.

Faced with this realization, students of criticism have accepted certain limitations as inherent within their work. Thonssen and Baird


admit that:

The rhetorical critic therefore accepts as one of the limitations of his task the conclusion that he cannot get all the facts necessary for complete reconstruction of the social setting in which a speech occurred. Despite that concession, the critic can still get a workable conception of the whole pattern of a social event. In order to appreciate the design of a fabric, it is not necessary to examine every thread.\(^5\)

Perhaps the most serious shortcoming of much of our rhetorical criticism lies in our failure to recognize the uniqueness of the contribution which we have to make. The Greeks widely believed that political science was the master science and that all other sciences were studied to serve this master. Training in such schools as that of Isocrates, however, made little distinction between this master science and the study of the art of rhetoric. History was studied more for the purpose of providing material for invention of the orator than for its own sake.\(^6\)

The rhetorical critic of today must recognize that society has changed greatly. Oratory, still a valuable tool, is no longer the supreme key to success that it may have been in the time of Isocrates, or even in the time of Seward. Today history and political science are studied for their own sake and for the contributions which they can make

\(^{5}\text{Ibid., p. 318.}\)

to our decisions in every day affairs. And the student of rhetoric today must face the question raised by Nichols:

... we may well ask with humility: What can the rhetorician bring to history? The answer I should like to suggest is that he will not bring very much of anything unless he conscientiously asks the question: What are the historians doing that may well be supplemented by the work of the rhetoricians? Our first job is to understand that some of their theories do not admit of any support at all from rhetoricians.7

Not only must the rhetorician abstain from the excess of writing pure history without adequate concern for the uniqueness of his task, he must exercise equal care to avoid the defect of studying a particular speaker without giving adequate consideration to the period in which the man lived and spoke. Thonssen and Baird make this point clearly.

Consequently, the critic of speaking must delve deeply into the past if he is to understand the present. Criticism based upon such research will help establish the "corrective balance" to which Donald C. Bryant refers when he observes that it has been "the fault of literature and oratory, to let the study of figures obscure or blot out the study of forces and social movements".8

It is also a serious fault of some rhetorical criticism to deal with labels and categories rather than dynamic processes. Critics talk of invention, style, arrangement; of ethos, logos, and pathos without considering the dynamic nature of these components. In a word,


8Thonssen and Baird, op. cit., p. 312.
"... we tend to treat the speaker as static by labeling processes that do not make possible the notion of emergence and change." Thus, it seems that a primary obligation of the rhetorical critic is to avoid the tendency to "... present the times in isolation and the figure in isolation, without the structure of give-and-take between the two."  

Another problem worthy of consideration is that of establishing criteria for the evaluation of a speaker and his speeches. We may, of course, consider the speech simply as an artistic work, and here our "labels" become useful; but many of our criteria should be developed by a consideration of the audiences and attitudes which prevailed in the time of the speaker being studied. It is regrettable, indeed, that Nichols may justly say of rhetoricians that:

"... we have not made an effort to stabilize the criteria for evaluating speeches in different periods and to characterize the oratory of the periods; that we do not ordinarily see beyond the oratory of the particular orator with whom we may be dealing."  

In the present effort we shall attempt to avoid some of the problems of rhetorical criticism which we have already noted. That brings us to another question: How can this best be accomplished?

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10 *Loc. cit.*
11 *Loc. cit.*
To begin with, in studying the history of the period, we shall try to limit out concern to that which is directly germane to the study of the speaker in question. This will include at least four distinct components: (1) the prevalent social attitudes and movements in the period during which Seward lived and spoke, which we shall discuss in detail in our Chapter II; (2) the life of Seward, with particular attention being paid to those incidents in his life which may have influenced his speaking, which we shall discuss extensively in our Chapter III; (3) the setting of specific speeches, including as accurate an analysis of the immediate audience as possible; and (4) an attempt to evaluate the effects of particular speeches and of Seward's overall rhetorical career, not only on immediate, primary audiences, but on the secondary audiences as well.

This point is crucial to our present approach. There is ample evidence from Seward's biographers and from his own speeches, as we shall see later in our study, that most of his efforts, particularly his Senate speeches, were not intended totally, or perhaps even primarily for the immediate audience. Oftentimes Seward relied mainly on the effect his speech would have when distributed in pamphlet form or printed in the newspapers. He was also concerned that his speeches should become history, and that they should affect subsequent generations. This we must always keep in mind.

In evaluating each speech, our criteria will be Aristotelian with certain exceptions. The primary exception is implicit in the
above discussion. That is, that in considering such matters as
invention and style, we must concern ourselves with these factors as
they would relate to much more than the immediate audience. We are,
in a word, concerned that the speeches of William Seward should be
evaluated much as Edwin Black feels that the speeches of Abraham
Lincoln should be evaluated.

We have, in sum, some compelling reasons for suspecting
that Lincoln's discourses were consciously designed to be
strong and enduring forces shaping American culture, and that
creating such discourses to serve such an objective was
Lincoln's paramount objective. Whence, then, the critic's fo­
cus on the immediate audience and the immediate situation?
Clearly, this focus is not dictated by the rhetor. It is,
rather, the product of a critical assumption--one that is
characteristic of neo-Aristotelianism.12

Another departure from the Aristotelian method is in our con­
sideration of ethos, which has traditionally been defined as the
"character appeal of the speaker" and which Andersen and Clevenger have
defined as "... the image held of a communicator at a given time by
a receiver--either one person or a group."13

We certainly do consider ethos to be one of the most important
elements of persuasion. In their intensive review of available data,

12Edwin Black, Rhetorical Criticism: A Study in Method (New

13Kenneth Andersen and Theodore Clevenger, Jr., "A Summary of
Experimental Research in Ethos," Speech Monographs, XXX, 2, June, 1963,
p. 59.
Andersen and Clevenger concluded that:

The finding is almost universal that the ethos of the source is related in some way to the impact of the message. This generalization applies not only to political, social, religious, and economic issues but also to matters of aesthetic judgment and personal taste.\textsuperscript{14}

We differ from the Aristotelian concept of ethos in that we consider antecedent or extrinsic ethos—loosely, the "reputation" of the speaker—to be as important, if not more important, than intrinsic ethos, or character developed in the speech.\textsuperscript{15} As a matter of fact, it will certainly be most important with those audience members who have a strong pre-conceived image of the speaker, for such "ego-involved" positions are not likely to change. According to Sherif, Sherif, and Nebergall:

To sum up so far, there is new evidence that increased discrepancy between initial position and the communication does increase the likelihood of change up to a certain point and that this point is affected by the degree of involvement in our stand. When involvement is high, increasing discrepancies lead to unfavorable evaluation of the communication, contrasted placement of its position, and decreased tendency to change toward the communication, with boomerangs away from the position advocated when both discrepancy and ego involvement are very great.\textsuperscript{16}

\textsuperscript{14}Ibid., p. 77.

\textsuperscript{15}For a detailed distinction between the two, see ibid., passim.

For these reasons, we go into considerable detail in Chapter II attempting to determine the antecedent ethos which Seward had with the typical audience to which he spoke. It is our conviction that the most effective use of ethical proof may well occur when the speaker accurately perceives his antecedent ethos with a given target audience and successfully fulfills and exploits this pre-existing image in the development of his speech. It is largely from this perspective that we evaluate Seward's use of ethical proof.

In sum, our general approach will be to seek to see Seward, not as a speaker isolated from his society, but as a man living in and reflecting and influencing the views of a particular period of American history. We shall seek to understand the issues with which he was concerned, and to evaluate the effect which his speeches may have had on his audiences and on the eventual resolution of those issues.

Organization of the Dissertation

This general approach might be applied to the specific problem in a number of ways. One approach might be to divide Seward's speaking into the classical epideictic, deliberative, and forensic types, and treat each in a separate chapter. It would seem, however, that we can best observe the man in the context of the times if we examine his career chronologically. From this perspective, we derive a dissertation of seven chapters including the introductory material as Chapter I.
Chapter II will deal generally with the conditions, attitudes, and issues of Seward's era; especially the attitudes of his audience toward the orator himself and toward his great subject of slavery. His active career embraced the most turbulent days in the history of the American nation. The greatest statesmen and orators in our history—men like Webster, Clay, and Calhoun—were numbered among his contemporaries. The nation grew from a few colonies recently freed and united into a colossus which spanned a continent. The people and the social structure were shocked by one great movement after another. If we are to understand and evaluate the career of William Seward, we must make an analysis of some of the movements which took place and of the attitudes of the people, for such things determine the substance and the effect of a speaker.

Chapter III will cover the "formative years" of Seward's lifetime, which we see as extending from 1801 to 1843. We shall take note of the orator's early exposure to slavery, his early precociousness and his training in debate in high school and college, as well as his subsequent legal training. We shall also trace Seward's early associations and experiences in politics, considering his experience as a state senator in New York, and his experience as governor of that state.

Chapter IV, covering the period from 1843 to 1848, will consider Seward as a mature lawyer and as a private citizen, somewhat active in behind-the-scenes politics. In this period we find Seward's eulogy on
John Quincy Adams, and his speeches in the Wyatt and Freeman murder trials which placed him among the leading American lawyers.

Chapter V, from 1849 to 1855, covers Seward's first years as a United States Senator. Here we find him opposing Webster on the Compromise of 1850, taking a major role in the Kansas-Nebraska controversy, and developing into the foremost political anti-slavery agitator of the day. This period terminates as the Republican party is beginning.

Chapter VI, from 1855 to 1861, traces Seward's role in the "Advent of the Republican Party." We also find him delivering his famous "Irrepressible Conflict" speech, opposing Lincoln for the presidential nomination, and making a final attempt to hold the Union together in a speech in January, 1861.

Chapter VII, Summary and Conclusions, reviews the dissertation and makes an overall synthesis and evaluation of Seward's rhetorical career from 1845 to 1861.

This dissertation, in sum, will seek to provide fresh insights into a period of American history, and on a man who lived in that era. It will attempt to understand Seward as both a product of and an agent in his society. While this goal is by no means a simple one, it promises to be challenging and rewarding. To provide the background necessary for our consideration of Seward, we direct our attention to Chapter II: "The Ante-bellum Americans."
CHAPTER II

THE ANTE-BELLUM AMERICANS

We have tried to express in Chapter I our belief in the extreme importance of a critic's understanding the audience before attempting to evaluate a speaker's presentations to that audience. Marie Hochmuth Nichols focuses directly on the problem of audience analysis when she says:

Audiences neither come from a vacuum nor assemble in one. They come with pre-established systems of value, conditioning their perspectives. . . . The rhetorician discovers his potentials for persuasion in a wise regard for the prevailing attitudes in the audience. . . . The critic who attempts to discriminate among values without reference to audience is doing what a rhetorical critic really cannot do. Since the audience conditioned the speaker's choices in selecting the arguments, ordering them, and expressing them, the critic must inevitably consider whether the speaker chose wisely or ill in relation to the audience. . . . Let the critic know, then, the audience for which the speech was intended.¹

In these words lies the rationale for this chapter. In order to make a realistic evaluation of the speaking of William Seward, it is absolutely essential that the attitudes and situations prevalent at the time of his speaking be recorded and considered. It is, of course, readily apparent that the analysis of the social setting of a speech

¹Nichols, History, op. cit., p. 10.
may proceed on two levels: the first of these is the overall evaluation of the social attitudes of the time, and the second is the consideration of the specific situation for any given speech. This is recognized by Thonssen and Baird.

It is thus apparent that the rhetorical critic's task is in its primary character a research undertaking. Motivated by the desire to view a particular speech in its larger social setting, he reconstructs as far as the facts will permit the social milieu of the period. This reconstruction centers about two considerations: the tracing of the antecedents—historical, economic, political, social, cultural—which impinge upon the ideas set forth in the speech; and the examining of details and circumstances—including the audience—relative to the specific occasion on which the speech was given.2

In this chapter, of course, we are concerned only with the antecedents and general attitudes which were operative in the audiences made up of "Ante-bellum Americans"—details and circumstances impinging upon particular speeches will be discussed at the time those speeches themselves are considered.

Attitudes do not exist as separate entities—they must be focused upon some object. Thus they must have a focal point. This is recognized by Roger Brown, Professor of Social Psychology at Harvard University, when he says:

What are the everyday senses of attitude and of motive which have started psychology on its own work? An attitude has always a focus; it may be a person, a group, a nation, a product, anything whatever really. When the focus is known to many, as in the case of statesmen, ethnic groups, and nations, the corresponding

2Thonssen and Baird, op. cit., p. 315.
attitude can be used for the comparative characterization of many persons. The dimension of characterization extends from positive (or favorable) through neutrality to negative (or unfavorable). Persons are thought of as occupying positions on this dimension corresponding to their disposition to behave favorably or unfavorably toward the focus.3

In our present attempt at the "comparative characterization of many persons," three sub-categories suggest themselves—general characteristics of the society, attitude toward the subject (very frequently slavery in the speaking of William Seward), and attitude toward the speaker, which we have previously mentioned as antecedent or extrinsic ethos. Cognizant of the fact that such attitudes would vary greatly according to the person and section, we are primarily concerned with the Northern segment of the country where most of Seward's speaking took place.

Growth and Expansion

One of the first and most noteworthy characteristics of the United States in the period with which we are concerned was the phenomenal rate of material expansion and progress. Commenting on this phenomenon, the Magazine of American History noted in 1891 that:

No period in the world's history has been more remarkable for material progress than that spanned by the life of the great American statesman, William H. Seward. The year of his birth was marked by the political whirlwind which placed Thomas Jefferson in the presidential chair of the United States. When Fulton's steamboat first startled the farmers along the Hudson with the

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noise of its clumsy machinery and paddlewheels—the earliest successful application of the steam-engine to ship propulsion—the boy was six years old. The War of 1812 with all its important chain of consequences, the building of the Erie canal, the longest water-way on the globe at the time, the invention of gas, of the railroad, of the magnetic telegraph, the rise of public schools, the establishment of innumerable important and useful institutions, and the foundation of the great newspaper system of the country, were among the swiftly passing events of his maturing individuality. He had for his birthright the intellectual energy of that peculiar age.  

Writing sixty years later, in his great classic, The Emergence of Lincoln, Allan Nevins said much the same thing.  

This was a more restless period than any before known. The energy of the fast-growing population channeled itself into countless outlets—business, trade, politics, reform, religion, letters, art. But the thrust was strongest toward materialistic objects. Already lusty and opulent, the nation instinctively reached for greater strength and greater riches.  

Avery Craven rates this expansion as one of the three great characteristics of ante-bellum America. According to him:  

The period in United States history from 1820 to 1860 had three major characteristics. The first of these was rapid growth and expansion. Population doubled in every decade, and the frontier of settlement, which in 1820 touched Lake Erie, ran thinly in a wedge across Ohio, southern Indiana and Illinois into Missouri, and then back sharply to middle Tennessee and Alabama, had by 1860 reached Minnesota, Kansas, Nebraska, Arkansas, and the newly acquired Texas. It had jumped to the Pacific, scattering human islands, where fertile soils or gold and silver lured.  

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Sectionalism

This growth and expansion, however, did not represent a unified people reaching out to conquer new frontiers. From the very first, there had been marked differences between the North and the South in economy, culture, and "way of life." As the country grew and developed, these sub-cultures tended to have their differences expanded and magnified, giving rise to the second major characteristic designated by Craven, that of sectionalism. As he puts it:

In 1820 there was no "united North" or no "self-conscious South." These sections differed in climate, in economic interests, and in those intangible things which go to make a way of life. But differences were of long standing. They were not on the increase. They were not much greater than those existing between East and West. The Revolutionary and Constitutional fathers had recognized them and had not found them antagonistic to unity. . . . Physical and social differences between North and South did not in themselves necessarily imply an irrepressible conflict.7

But from 1820 to 1860, the situation changed.

A second characteristic of this period, closely related to the rapid growth was the sharp development of sectionalism. Expansion across a continent, in size and variety surpassing the one which held the European nations and all their quarrels, tended to create great provinces of differing economic, social, and mental outlook. . . .

Four major sections emerged in this period: The Northeast, The Old South, The Northwest, and the Southwest. They were not entirely unique or entirely separate. Each held within itself regions quite distinct and often antagonistic. . . . 8

7 Ibid., p. 1.
8 Ibid., pp. 4-6.
Probably the most important characteristics of this sectionalism to the politicians and speakers of the day would have been (1) the ever-widening gulf between North and South, and (2) the tendency for each of these sections to try to dominate the central government.

Craven describes the development of the schism as follows:

The Old South was traditionally a distinct section. Staple crops, the plantation system, and Negro slavery had combined with weather and peculiar social ideals to set this region apart both in its own thinking and in that of its neighbors. . . .

Craven also comments on the tendency of these sections to attempt to dominate the central government.

Throughout the middle period of American life, these four sections struggled to secure, from a common central government, legislation favorable to their varied and conflicting interests and to escape measures harmful to these interests. . . .

Few of these issues reached final settlement. The farmers of West and South destroyed the central bank, kept the tariff within limits, but most of the battles ended in compromise—which meant that they could not be settled. Bitterness increased with each sectional brush; feelings grew more intense. Hatreds and loyalties gradually made compromise neither possible nor desirable. In the end, brothers went to war.

There was developing, then, during Seward’s active career, a prosperous and growing America. But there was also the growth of widely differing attitudes in regard to economic, social, political, and cultural institutions. Historians such as Craven have isolated a number of specific sections, but all focus on one great schism—the split

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9Ibid., p. 8.
10Ibid., p. 10.
between the Old South and all other portions of the country.

One can perceive a probable interaction between wealth, expansion, and sectionalism which would lead inexorably to worsening of relations and increasing aggressive tendencies. Hoffer theorizes as to how such forces can lead to mass movements.

Unlimited opportunities can be as potent a cause of frustration as a paucity or lack of opportunities. When opportunities are apparently unlimited, there is an inevitable deprecation of the present. The attitude is: 'All that I am doing or possibly can do is chicken feed compared with what is left undone'. . . . Patriotism, racial solidarity, and even the preaching of revolution find a more ready response among people who see limitless opportunities spread out before them than among those who move within the fixed limits of a familiar, orderly and predictable pattern of existence.\textsuperscript{11}

Nevins applies this theory to the ante-bellum Americans.

Vast numbers of people in the Western nations were acquiring wealth, and in Europe and the United States alike, prosperity bred self-confidence, and egotism engendered an aggressive temper. . . .

In a period of expansion and explosion, this hardening of temper, this strutting egotism of the self-made and newly rich, carried distinct dangers. Both North and South, large bodies of pushing, successful men were more ready to bluff their way, spurn compromises, and trust to luck than if times had been sterner and failure more frequent.\textsuperscript{12}

As the influence of the frontier and the affluence and urbanization of the East increased, the South remained relatively static.


\textsuperscript{12}Nevins, \textit{op. cit.}, p. 5.
Nevins describes this relative statism as follows:

Though the South was by no means static in any absolute sense, it seemed so by comparison with the North and West. The basic elements of its economic life were merely soil, climate, and low-skilled labor. While large bodies of farmers in the border regions and uplands closely resembled their Northwestern brethren, in plantation areas the way of life was hostile to variegation and progress. The ruling class of Southerners (and it was a class) clung to the aristocratic and conservative ideals which the North and West instinctively disliked.\(^{13}\)

This led to far more than a minor difference.

\[\ldots\text{ the gulf between free-labor and slave-labor societies was real and deep.} \ldots\]

North and South had always, from early colonial days, found difficulty in understanding each other. \ldots\ By 1830 the divergent psychologies of the two sections presented the most serious obstacles to mutual comprehension. \ldots\ Naturally, the South thought of itself more and more as a separate nation. By 1857 it was in many ways a separate nation. Had secession been crowned with success, historians would have said what John Adams wrote of American withdrawal from the empire, that separation was a fact before fighting began.\(^{14}\)

So we see two major sub-cultures within the United States, each expanding and dreaming of further expansion, each seeking favors from a common central government, and each widely divergent from the other in its social, economic, political and cultural institutions. But the dreams of one sub-culture were foredoomed to failure, for, as Nevins says:

While the South had the dream, the North and West had realities. They had the steady growth of industrial power, which meant wealth and higher living standards; more immigration, and a faster increase in population; the wider areas

\[\ldots\]

\(^{13}\text{Ibid., p. 7.}\]

\(^{14}\text{Ibid., pp. 8-10.}\]
suited to their free-labor system. . . By 1860 it was plain
that if the country held together, every forward step would
strengthen the free society as against the slave society.\textsuperscript{15}

The "Isms"

Even so, it would seem conceivable that the two distinct por-
tions of the United States, North and South, might have continued to
exist under some sort of "detente" or peaceful co-existence, much,
perhaps, as the United States and the Soviet Union exist today. Two
factors, however, prevented this from occurring: the rapid spread of
"isms" in the North, all of which ultimately united against the slavery
power; and the irresponsible exploitation, by the Northern and Southern
leaders, of the divisive forces at work within the country.

Craven refers to these "isms" as the third major characteristic
of the ante-bellum period. According to him:

A third characteristic of this period arose from the demo-
ocratic and humanitarian stirrings which swept the nation in
every decade. . .
Gradually the effort to free the Negro slaves on Southern
plantations brought to a focus most of the sentiments en-
gendered by all injustice and set the reformer at the task of
bringing low the perfect aristocrat who held these slaves in
bondage. . .
Even more important than these protests against inequality,
because it touched the great American masses, was the new fervor
which took hold of the evangelical churches and manifested its
extreme qualities in periodic revival meetings throughout the
back country. . .
As they understood the new life, a moral obligation rested
on every Christian to rid the world of sin. Sin consisted both
of personal indulgence and of social wrongs. The whole program

\textsuperscript{15}Ibid., pp. 10-11.
of the humanitarian reformer became a church program. Social evils were somebody's sins. There should be a law against them. The state was but the agent of good men for the doing of justice and the ending of evil.

The fight for democracy and the fight for morality were, therefore, one and the same. The kingdom of heaven on earth was a part of the American political purpose.\textsuperscript{16}

In this social environment, it is not surprising to find Seward, in 1850, attacking compromise on the issue of slavery by appealing to a higher law than man-made constitutions and legislation.

Further insight into these "isms" is found in Theodore Smith's informative book, \textit{Parties and Slavery: 1850-1859}. In preparing this text, which constitutes volume eighteen of \textit{The American Nation: A History}, edited by Albert Hart, Smith dedicated chapter nineteen to "Social Ferment in the North (1850 to 1860)." He observed that:

The life of the people of the northern states . . . had its own current, a mingled one, in which may be discerned two streams, one the continuation of the American intellectual and democratic renaissance which began after the second war with England, and the other a growth of new tendencies, arising from new social conditions and destined to alter the face of American society.\textsuperscript{17}

Smith feels, as did Craven, that the various sections of the United States were fairly successful at compromising their differences prior to 1850, but from 1850 to 1860:

These years were times of ferment--with the continued radicalism of the past, the flowering of the literary genius

\textsuperscript{16} Craven, \textit{op. cit.}, pp. 11-13.

of the land, the sweep of popular crazes, and above and around all the zest and fascination of the new industrial and agricultural outlook. In spite of the Kansas question, the slavery problem was not the only nor even the most important subject in popular interest, except for brief periods; and it was never regarded at any time as anything but an unpleasant interruption except by the professed agitators. Nevertheless, in these years the attitude of the northern people towards the south underwent a distinct change. In 1850 the great majority of voters were not ready to let their dislike of slavery draw them into any permanent antagonism towards the South, and they were eager to welcome any fair compromise. But by 1860 the repeal of the Missouri Compromise, the Kansas struggle, and the controversy over the Lecompton constitution had stirred up a deep sectional feeling, based on anger at what was considered the perfidy and aggressiveness of the south in seeking to establish slavery in free territory.18

In other words, the influence of anti-slavery agitation was sporadic—it was always there, but from time-to-time other movements held a priority position in the North. For example, in the mid-1850's, according to Smith:

Probably the most aggressive reform movement at this time, and certainly the most conspicuous, was the agitation for women's rights, and especially woman suffrage, which filled the place in public esteem formerly held by the abolitionists.19

Indeed, then, this was a society of mass-movements, each fading into the next, with many often running concurrently. It was an ideal society for an agitator, a man with a cause, whatever that cause might be. Smith observes that:

A striking result of the greater intensity of the new industrial life, together with the lack of physical health, was the growth of excitability in the Americans of the time. Waves of popular frenzy were no new thing, for they had been known

18Ibid., pp. 279-280.
19Ibid., p. 268.
since the Stamp Act, but at no time were they so prevalent as in these years, and they were now accompanied by popular crazes of a non-political character to an extent which filled conservative people with bewilderment. In 1850-1855, the temperance movement swept the country in the Maine-law agitation; then came the anti-Nebraska fever, followed by the Know-Nothing riots and excitement, the Kansas crusade, and the Lecompton struggle, each of which rose, raged, and declined from exhaustion. In 1857 the financial panic swept like a fire across the land, and it was followed in 1858 by a wide-spread religious revival, the last one to arouse all sections of the North.20

How did these movements spread in a society where electronic communication was barely beginning and in which the newspaper industry was still struggling to maturity? Certainly the telegraph and the newspapers helped, but the bulk of the movements was spread through the speeches and writings of influential men. Smith notes this, saying:

All these reforming and radical movements, it should be said in conclusion, found their outlet not only in special publications, but on the lecture platform, an institution then in its prime. Over the new railways into all parts of the country travelled the foremost literary men and the most eloquent reformers of the time, spreading the gospel of intellectual enlightenment in all quarters.21

Is it any wonder that such an oral society was able to give rise to men like Webster, Calhoun, Clay, and Seward?

20Ibid., p. 278.
21Ibid., p. 272.
Slavery as the Common Devil

Even here, however, we do not see an "irrepressible conflict."

Our society has frequently endured religious fanaticism, financial panics, and popular crazes without being thrown into the pangs of Civil War. For diverse movements to lead to social chaos requires that they adopt some common goal, usually a "devil" or enemy. Hoffer has noted this.

Mass movements can rise and spread without belief in a God, but never without belief in a devil. Usually the strength of a mass movement is proportionate to the vividness and tangibility of its devil. . . .

Common hatred unites the most heterogeneous elements. To share a common hatred, with an enemy even, is to infect him with a feeling of kinship, and thus sap his powers of resistance. . . .

It seems that, like the ideal deity, the ideal devil is one. . . .

Again, like an ideal deity, the ideal devil is omnipotent and omnipresent. . . .

Finally, it seems, the ideal devil is a foreigner. . . .

The southern slaveholders were in an ideal situation to become the "devil" for uniting the northern "isms." It was, of course, necessary for the leaders of the North to bring the various movements to bear on this institution and to endow the slaveholders with some of the qualities of the ideal devil. It was also necessary for the South to become adamant in defense of its "peculiar institution" and to locate its devil in the North.

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22 Hoffer, op. cit., pp. 86-87.
At the North, there was a natural tendency for the movements to blend into one. According to Smith,

The natural tendency was for these various reforms to blend together, from the fact that those who were radically inclined in one direction were generally favorably disposed to reforms in all others. The woman-suffragist was likely to be an advocate of temperance, abolition, and free religion, so that when conservative people lumped the entire field of reform activity under the heading of "the isms," and spoke of the leaders as "the short-haired women and the long-haired men," there was a certain justification.23

As the movements unified, they found a ready-made devil waiting for them. As Smith says:

The people of the North did not like the slaveholders, did not understand them, and had no desire to do so. The peculiarities of the southern code of manners created a belief that they were a race of faithless, blustering, cruel slave-drivers; and the figure of a Henry Clay, once popular in the North was hidden behind that of a "Border Buffian." An influence of incalculable effect in establishing this opinion of slavery and slave-owners was the novel of Uncle Tom's Cabin.24

Over the years this attitude developed, until, by 1860,

. . . the institution of slavery had few defenders at the North, and some of the foremost Republicans, such as Lincoln and Seward, did not hesitate to express sentiments which a few years earlier would have been regarded as ultra-radical. Undoubtedly thousands now agreed with them that the contest with slavery was an irreconcilable one, and must end eventually with its extinction; but the actual technical abolitionists still remained few.25

23 Smith, op. cit., p. 298.
24 Ibid., pp. 280-281.
25 Ibid., pp. 281-282.
But the ferment of the North had little effect in the South. Below the Mason-Dixon line,

Orthodoxy in religion prevailed undisturbed at the South, and "isms" and reforms remained unknown except when brought by such energetic invaders as Dorothea Dix, whose crusade for asylums for the insane stands almost alone in the South of that time. Spiritualism, communism, radicalism, all failed to grow in the South, and were almost as abhorrent to the planters as abolitionism itself. The crazes which swept the North stirred slight echoes there.26

It was extremely evident that

... the two beliefs most deeply rooted in the mind of every southerner were, that he was an honorable, Christian gentleman, and that the slave system was absolutely necessary to his prosperity.27

In fact, under attack from the northern abolitionists and reformers, the South actually strengthened its defense of slavery. What had been an almost passive and apologetic attitude became an active, aggressive, and expansionist movement. This was a major contributing factor to the South's becoming what Nevins described as almost a separate nation. Smith described it in similar terms.

Some positive answer was necessary to the abuse by the anti-slavery critics. It was not enough to retort with anger and contempt, for the European world stood committed to the northern side, and its opinion must be dealt with. Accordingly, in this decade there was developed a new political and social philosophy, supplanting all previous half defenses and apologies, which boldly asserted that slavery was a positive good, the only sure basis for society, religion, and the family, while liberty was a danger to the human race.28

26Ibid., p. 291.
27Ibid., p. 298.
28Ibid.
Thus the philosophical gulf widened, until:

In the years immediately preceding the Civil War, the characteristic civilization of the southern states reached its culmination, making of the slaveholding area a region with most of the features of a separate national consciousness, a community little affected by the industrial, intellectual, and emotional influences which were transforming the North.\(^{29}\)

One could safely say that the North, in the time of William H. Seward, bore many resemblances to the United States of today. It was a time of ferment and change; of social, economic, cultural, and political revolution; of "short-haired women and long-haired men." The South, on the other hand, remained relatively stagnant. We have already observed this fact. But for further emphasis let us note the graphic picture of the situation drawn by Smith.

The undeniable ferment of the North in thought and reform, taking, as it did, many extravagant although harmless shapes, made the section appear in southern eyes reeking with irreligion, blasphemy, and radicalism. Southern defenders were forever drawing comparisons between the "poverty, crime, infidelity, anarchy and licentiousness of Free Society and the plenty, morality, conservatism, good order and universal Christian faith of Slave Society." To the strictly orthodox southern planters New England seemed a land of abomination, and abolitionists appeared bloody-minded fanatics, longing to cause Negro insurrection, with massacre and unmentionable horrors.

So matters stood in 1859: mutual misunderstanding, mutual dislike and contempt; on one side a fixed purpose to exclude the other from control of the federal government; on the other an equally fixed purpose to secede if ousted. For years the control had been kept in the hands of the South by a combination in the ranks of the Democratic party of northern conservatives with southern moderates; but now this coalition seemed to be shaken. Upon the outcome of the election of 1860 hung the decision; in the minds of most southern leaders the result was already

\(^{29}\)Ibid., p. 286.
determined. The Union must come to an end.  

Each side had conveniently located its devil in the other. Both sides were ripe for mass-movement. In the North, this took the form of a Republican victory—in the South, it took the form of secession. The role of the leaders of the time in bringing about this impasse can hardly be overestimated.

Leaders and Agitators

Had all of the northern ferment remained in the hands of the non-political, religious, and pseudo-political agitators, the situation might never have become critical. This, unfortunately, was not to be. The political leaders of the time, some out of conviction, but many, perhaps, more concerned with their success at the polls than with the best interests of the country, exploited these explosive issues in innumerable contests on the local, state and national level. Roy Franklin Nichols in his Disruption of American Democracy provides an informative and interesting account of the social attitudes in the time of Seward, and particularly of the irresponsible leadership.

Success at elections was the more intensively sought as the rewards of power became greater. Campaign methods therefore grew more ruthless, and corruption more frequent. The temptation grew, to seek advantage by arousing passions. It was harder for the statesmen at the capitol city to calm the emotions stirred in these countless local contests when their representatives brought them to Washington. They had to spend much time formulating compromises to subdue the wrath so heedlessly roused. As the fifties advanced, these adjustments

\[30\text{Ibid.}, \text{pp. 303-304.}\]
were harder to negotiate, and fewer legislative leaders were either sufficiently interested, or able, to write formulas of peace.

The extreme danger in these frequent elections arose partly from the skill with which campaigners and candidates could exploit prevailing conflicts of interests, conditioned by geography and custom and by the traditions, needs, and hopes of a mobile and expanding population. These antagonisms, it is true, were occasionally sponsored by statesmen or party leaders but usually dictated to them. Politicos prospered or failed in the degree to which they consciously or unconsciously recognized, understood, and utilized the opportunities which these enthusiasms and prejudices afforded. The peculiar and oft-times conflicting qualities of popular attitudes made their constant exaggeration dangerous, never more so than in 1856.31

Thus, in the 1850's, we find a society in a state of flux, subject to movements and fluctuations of numerous factions. We find this society being exploited by politicians playing upon and exaggerating the pre-existing enmities and misunderstandings of various sections. We find an excitable population in the North, highly receptive to the appeal of the mass-movement, and a southern population becoming increasingly aggressive in defense of slavery. It was, in short, a highly unstable situation, but one which Roy Nichols does not find uncommon.

In politics, popular interest is subject to fluctuations. There are years of calm, of political relaxation; then periodically interest quickens, the electorate becomes more highly emotional and tension develops. Such fluctuation recurs with singular regularity in the United States, and a political "new deal" of one sort or another comes about every twenty years.

Other forms of behavior move in somewhat similar patterns. Both business panics and religious revivals recur at more-or-less regular intervals, accompanied by emotional instability which is unsettling. When a political crisis and a business collapse occur almost simultaneously, as has happened several times in American history, society feels no slight shock. Further, when

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these two are followed by an outburst of religious enthusiasm and revival, the nation's nerves are shattered and popular behavior becomes hyperemotional. Such a conjunction of tensions occurs rarely, but woe betide the Republic when it does. Such a time was the period of the middle fifties in America. Then political frictions were mounting; then the nation was strangely moved by economic and emotional upheavals. The triple conjunction of tensions in politics, business, and religion was gathering in all its force, making perilous this period of political reshuffling.32

In commenting further on these dangerous years, Nichols indicts the political leaders for their failure to take cognizance of the dangerous and conflicting currents and counter-currents at work, the phenomenon which he refers to as "cultural federalism."

Vastly more complex than the struggle against two regionalized opponents in the election of 1856 was the basic political situation faced by the managers in this campaign. Their problem was more involved than any of them realized. They were well aware that they were operating the political mechanism of a federal republic composed of thirty-one states; but they scarcely comprehended that the most powerful conditioner of voting behavior was not political but "cultural" federalism. It harbored a greater threat to the success of the Democratic party and to the permanence of the United States government than did the sectional rivalries inherent in political federalism. In truth, cultural federalism is a primary fact in American history, too little appreciated and therefore clamoring for understanding.

As the federation of the states composing the United States has constituted a political federalism, the association of people and communities exhibiting various attitudes has constituted a cultural federalism. Each attitude contributes its quota to the national complex of feeling, thought and behavior. But attitudes are never wholly confined to one group, state, or region. Different attitudes may exist side-by-side in a given community, on the same street, or within a single family. The task of the political leaders therefore was more subtle than keeping slave and free states in a political union; it was the task of finding ways and means to hold citizens dominated by a variety of attitudes in one body politic.33

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32 Ibid., pp. 9-10.
33 Ibid., p. 30.
Obviously, not all of the attitudes and institutions present in the society tended toward disunion. There were attitudes which were more or less shared by all elements of the culture, there were those which tended to hold the society together, and there were others which tended to tear it apart. The real cause of the Civil War appears to have been the choice of the leaders to play primarily upon the divisive attitudes. Nichols' analysis of these three types of attitudes is informative and valuable.

Cohesive Attitudes

Roy Nichols lists three "cohesive" attitudes—nationalism, regionalism, and democracy. Nationalism was based upon the idea of submerging local attachments in the greater and more satisfying and profitable patriotism. This idea was used as a political tool by advocates with many points of view. Seward argued it as a reason why the North should not be frightened by threats of disunion and also used it in his 1861 speech in an attempt to prevent disunion.34

Regionalism is almost self-explanatory. It played a major role in the rhetoric of many leaders, particularly in the South. It was useful in providing regional identity, but it would seem, although Nichols does not suggest this, that regionalism usually manifested itself at the national level as sectionalism; hence, it was regionally

34Ibid., p. 30.
cohesive, but would seem to us to have been nationally divisive.\textsuperscript{35}

The third cohesive concept was that of democracy. In America, a new form of government was evolving—the representative democracy. This form of government had already made many achievements and seemed to hold great promise. Thus, faith in this system was a valuable persuasive tool for the politician.\textsuperscript{36} However, it could be used many ways. In Seward's rhetoric, it may well have been used divisively, for Seward constantly contrasted the progress of the free and democratic North with the stagnation of the slave and aristocratic South.

Unfortunately, the cohesive factors were either inadequate or were neglected or poorly used by the leaders. Perhaps the divisive attitudes simply provided more reward in a shorter time. At any rate, according to Nichols:

The leaders of the Democracy and the rank and file of their followers were hardly equipped to understand the subtle implications of the cultural federalism with which they had to cope. They were in reality going blindly into the maze of opinion and attitudes which were its constituents. Their blindness was not their fault but their lack of culpability made their blunders none the less dangerous.\textsuperscript{37}

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{35}Ibid., pp. 37-38.
\item \textsuperscript{36}Ibid., pp. 39-40.
\item \textsuperscript{37}Ibid., p. 40.
\end{itemize}
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Pervasive Attitudes

The two pervasive attitudes, prevalent throughout the society, were Protestantism and romanticism. The former was characterized by consciousness of the evil nature of sin, sense of duty to wage war against sin, and willingness to submit with resignation to the will of God. The latter is best known through the romantic movement in literature—the tendency to see the world and oneself as much better and nobler than is really the case—"looking through rose-colored glasses," so to speak.

Although these attitudes were not directly divisive, Nichols feels that they stood in the way of realistic consideration of the troublesome issues of the time. Certainly neither could supply rational correctives to the emotional impulses of the society.  

Divisive Attitudes

Nichols lists five divisive attitudes—metropolitanism, territorialism, southernism, New Englandism, and anti-slaveryism. These were the attitudes which did most to erect the barrier between North and South and bring about the Civil War.

The metropolitanists were characterized by faith in the future, optimism, and the desire for expansion. They were looking to the West at this time, and were much interested in the favors that they could accrue from a sympathetic government. Unfortunately, manufacturers,

38 Ibid., pp. 21-23.
importers, planters, and shippers did not profit from the same governmental policies. Hence, metropolitanism was divisive in nature.\textsuperscript{39}

Territorialism might actually be regarded as sectional metropolitanism. It was prominent in the newer sections of the country, and characterized by people who were restless and speculative, insecure and quarrelsome, ambitious and impatient, hurrying to fulfill the promise of virgin lands. It contributed to unscrupulousness and political maneuvering in the territories, as we found manifested most significantly in the Kansas struggle.\textsuperscript{40}

We have already said much about southernism. It was characterized by dependence on an agricultural economy, favoritism toward slavery, cultural peculiarities, and opposition to "progress" such as internal improvements financed by the federal government. The most divisive factor stemming from southernism was that the South continued to dominate the federal government even as its interests tended to deviate from those of the rest of the country. Thus the South was able to use its political power in such a way as to endanger the unity of the Republic.\textsuperscript{41}

New Englandism was a combination of metropolitanism, Protestantism, and political frustration. According to Roy Nichols:

\ldots it manifested itself in a particular type of tactics well adapted to the Protestant attitude.

\textsuperscript{39}\textit{Ibid.}, pp. 24-26.
\textsuperscript{40}\textit{Ibid.}, pp. 26-27.
\textsuperscript{41}\textit{Ibid.}, pp. 27-29.
This peculiar political behavior was dominated by ways of thought inherited directly from the Puritans. The unhappiness and frustration from which New England suffered must be due to sin and, urged on by conscience, the dissatisfied soon found that the sin was the sin of slavery. This cancer of society should be cut out and stern duty called upon the foes of sin to remove it. 42

Anti-slaveryism prospered most in the region beyond the Alleghenies. Here were the people who had seen slavery first hand, and most of them hated it.

Especially in Ohio and in Kansas, people swayed by these attitudes displayed a sense of aloofness, of moral inflexibility, of superiority, and of hatred of the sin of slavery which became more powerful political factors there than in the other regions. When such settlers met southern immigrants and struggled with them over the control of the government and the institutions of the western regions, blood would flow. 43

Is it any wonder that, as we shall see later, Seward in his 1848 Cleveland speech found his major task not in converting his audience to anti-slavery ideas but in showing them that the Whig party was really strong enough in its anti-slavery convictions?

We have noted before that the tragedy engendered by these attitudes probably would not have occurred if many movements had not united against slavery; and this would probably not have developed but for the exploitation of these sentiments by the leaders of the time.

42 Ibid., p. 30.
43 Ibid., pp. 30-31.
Hoffer reminds us how easily movements may combine.

When people are ripe for a mass movement, they are usually ripe for any effective movement, and not solely for one with a particular doctrine or program. . . .

One mass movement readily transforms itself into another. A religious movement may develop into a social revolution or a nationalist movement; a social revolution, into militant nationalism or a religious movement; a nationalist movement into a social revolution or a religious movement.44

Nichols describes how the movements of the 1850's united against slavery:

The danger in the conflict between these varying attitudes lay in the fact that metropolitanism, territorialism, New Englandism, and anti-slaveryism were in the process of becoming united in a general hatred of southernism. The South was constantly aware of this convergence of opposition and reacted in a fashion also threatening to the future of the Union.45

And Craven reiterates the important role played by the leaders.

Stripped of false assumptions, the tragedy of the nation in bloody strife from 1861 to 1865 must, in large part, be charged to a generation of well-meaning Americans, who, busy with the task of getting ahead, permitted their short-sighted politicians, their over-zealous editors, and their pious reformers to emotionalize real and potential differences and to conjure up distorted impressions of those who dwelt in other parts of the nation. For more than two decades, these molders of public opinion steadily created the fiction of two distinct peoples contending for the right to preserve and expand their sacred cultures. They imagined a Slave Power bent on spreading tyranny to all parts of the nation; a Black Republicanism equally determined to free the slaves and to precipitate a race


45Roy Nichols, op. cit., pp. 31-32.
war. They turned the normal American conflicts between agriculture and industry, farmers and planters, section and section, into a struggle of civilizations.46

Nevins is equally convinced.

Among the manifold causes of division or divergence of interest—tariffs, public lands, ship subsidies, internal improvements, immigration, the Pacific railroad, Federal powers—the issue of slavery remained fundamental. Could the problems of the labor system and racial adjustment in the South have been solved, all other discords might have proved transient. Year by year the slavery question intensified the conflict, increased the misunderstanding, and heightened the prejudice. . . .

Each side, according to its convictions, was right. The South thought slavery a positive good—and in one sense it was a positive good. The Negro was better off on a well-managed Southern holding than anywhere else on earth; . . .

Logic counted for little, however, in the prevalent hysteria. A deep sense of crisis now pervaded the air. Emotion not merely magnified every collision; it made recurrent collisions inevitable.47

He goes on to say that:

Yet when the situation demanded the utmost seriousness of thought both North and South, the quarrel over slavery, State Rights, and ultimate power was rendered doubly dangerous by an irresponsible levity among politicians and people. Posturing and finessing were never more recklessly used by leaders than in this period. . . .

Levity was equally evident in the popular attitude toward the price of disunion. Americans had never fought a really bloody war. . . .

In all periods of prolonged peace, the longing of hot-blooded elements for action, adventure, and power is transferred into a readiness to spring to war.48

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46 Craven, op. cit., p. 2.
47 Nevins, op. cit., pp. 11-12.
48 Ibid., p. 13.
The foundations of war were clearly being laid. The words of brinksmanship were the daily fare of the American citizens. There were, of course, real differences between the various sections of the United States, and particularly between the Old South and all the other sections. But it was the magnification of these differences, brought about by the contrasts of the "isms" of the North as against the conservatism of the South and the exploitation of these differences by the political leaders of the time which precipitated the Civil War. Craven describes the entire situation most graphically.

Out of this national setting, the War between the States evolved. By the strange twistings of Fate, the three great strands of development, in the life span of a generation of Americans were tangled together in such ways as to push reason aside to give emotion full sway. Unparalleled expansion only served to magnify and intensify sectional differences and raise the question of Constitutional rights in the spread of institutions and peoples to new territory. Growth shifted the old balances of power and posed anew the insoluble problem of minority and majority rights. Intense humanitarian impulses and awakened religious feelings supplied the emotions with which sectional positions and sectional interests could be glorified. All contests became part of the eternal struggle between right and wrong. This caused the breakup of national political parties which had contributed the main element in American nationalism. For party unity men had been willing to sacrifice sectional interests and to yield personal principles. Membership in the party organization and allegiance to its platform was in itself a compromise and the party could yield where the individual could not. As long as the national parties held firm, conflicting principles were not dangerous to national unity; men with principles could belong to parties which did not have them. Political compromise was thus always possible. But when right and wrong came into politics then parties had to become sectional and the sectional party could be based on principles. That lifted politics to new levels and put an end to compromise. What were but normal differences in the beginning of the period thus gradually became principles. The
maintenance of principle became a matter of honor, of sacred duty. The conflict was then irrepressible. Only the God of battles could judge. 49

Summary of the Antebellum Attitudes

We are now at a point where it is possible to draw some general characterizations of the attitudes and situations which prevailed in the audiences faced by William Seward. Although these conclusions cannot precisely characterize the audience for any given speech, or any individual in the nation at any given time, they serve to give us a point of departure. The following observations seem warranted:

1. The nation was passing through a period of unparalleled growth and expansion, but was also witnessing the development of sectionalism and democratic and humanitarian stirrings.

2. These stirrings or "isms" kept the North in a state of perpetual unrest. Its citizens were readily receptive to the appeal of the mass movement. The South remained relatively stagnant in its growth, and became positively aggressive in the defense of its "peculiar institution" of slavery.

3. The orators and leaders of the time had at their disposal various attitudes of cohesive, divisive, and pervasive nature. They found it much easier to exploit the divisive attitudes, and thus contributed a major part to the destruction of the Union.

49Craven, op. cit., p. 15.
4. Aided by the manipulations of the leaders, some sincere and some seeking political goals, the "isms" of the North became united against a common "devil" slavery. At the same time, the southern leaders were converting the North into their "devil." Once these movements were fully under way, the conflict of the states really did become irrepressible in nature. Seward's audience, then, would have been volatile, almost explosive. It would have been receptive to appeals based on patriotism, particularly those which characterized the North as progressive and free, the South as stagnant and aristocratic. It was materialistic, and would have been receptive to policies which would tend to bring about territorial expansion. At the same time, it was romantic, and subject to religiously oriented appeals. And as time went on it became more and more receptive to appeals for a firm stand against slavery and more willing to blame the slave states for any problems which might be occurring in the country.

**Attitudes toward Seward**

We have, then, a characterization of the general attitudes of the Ante-bellum Americans and of their specific feelings on the subject of slavery. A question yet to be answered is how the people felt about Seward—what, in other words, was his general reputation or antecedent ethos with his audience?
It is interesting that Nevins, who places so much blame for the final conflict on the inadequacy of the statesmanship which emerged in the last years before the war, gives considerable attention to Seward. He gives us several clues as to the evaluation which contemporary audiences may have had of Seward. "Many thought him the first statesman of the land," says Nevins. "His grasp of mind was unquestioned," and "His courage had sometimes been conspicuous."

"... he could take large views of public affairs," was "... an astute politician" and "A man of magnanimous heart, ... " Moreover, "E. L. Godkin thought him in 1859 the best constitutional lawyer in the country, the least of a demagogue among public men, and the clearest-headed statesman." Nevins himself feels that "... Seward lacked the cardinal requisite of steady judgment ... His 'higher law' speech in 1850 was not only poor politics but bad statesmanship, and the 'irrepressible conflict' address of 1858 was still more unfortunate ... In short, Seward was erratic."\(^{50}\)

But the personal opinion of Nevins, despite his stature as a historian, is not enough to determine the antecedent ethos which Seward possessed. We shall turn to a wide variety of external and internal evidence in making our own evaluation of him at a later time. Our present concern is with the evaluation assigned by his contemporary audiences. Nevins gives us a hint of that opinion.

\(^{50}\)Nevins, *op. cit.*, pp. 21-23.
Many thought him the first statesman of the land. He was beloved by all who knew him well; those who saw his affectionate and unselfish deportment in his family circle, his genuine, hearty fellowship with his Auburn neighbors, who gathered about as freely as the Marshfield farmers had colloqued with Webster, were much impressed.\textsuperscript{51}

Nevins also comments on the attitude of the American audiences in his \textit{Ordeal of the Union}.

Stump-speaking, too, was in its triumphant vogue. The higher oratory of Seward and Lincoln, Douglas and Jefferson Davis, was assured of intent audiences, able to follow the intricacies of debate on slavery as their fathers had followed the Bank question.\textsuperscript{52}

It should be remembered that we are attempting to evaluate the antecedent ethos of Seward primarily with the northern audience. In the South he was anathema. In the Senate, where many of his speeches were presented, the dividing line was so clearly drawn by the mid-1850's that it is unreasonable to assume that his oratory in regard to slavery had much effect on the primary audience—it is more realistic to consider the possible attitudes of the secondary audience, composed of the great mass of northern citizens.

For an evaluation of Seward's ethos in the Senate and in the South, we may turn to the words of his son, Frederick W. Seward:

[In 1850] Southern feeling was predominant in the Senate Chamber, as it had been for many years. Neither of the two great parties was opposed to slavery, and recognized leaders

\textsuperscript{51}\textit{Loc. cit.}

of both were men of Southern birth. Seward found very early after taking his seat among the "conscription fathers," that he was regarded as the legitimate object of suspicions, sneers, and attacks. His record in regard to slavery was studied, and it showed him to have declared not only for 'Free Soil' but for emancipation. . . . Vials of wrath were poured out upon him, when he rose to speak on indifferent topics; and even when he sat silently in his chair.53

Hale notes that: "[In 1850] He was, however, already well known, and the mark for violent denunciation on the part of the South."54

And Lothrop finds that:

At the South he was fully recognized [in 1860] as the leader of his party, the price set on his head there being fifty thousand dollars, while only twenty five hundred was offered for that of any other prominent Republican.55

In the North, however, most historians, regardless of their personal evaluation of Seward, recognize that the man commanded a great popular following. Lothrop goes on to indicate:

So far as the success of the Republican party in 1860 was not the inevitable outcome of the constantly increasing demands and pressure of the South, and the consequent resistance of the North, it was the work of William H. Seward more than any other single individual. He had labored to this end for many years; his speeches had been printed in different languages, and circulated by the millions, and had produced the deepest and widest effect on public opinion . . . .


A Southern newspaper did no more than justice to his position, when its editor wrote: 'Mr. Seward is a great political leader. Unlike others who are willing to follow in the wake of popular sentiment, Seward leads. He stands head and shoulders above them all. He marshals his forces and directs the way. The Abolition host follow. However we may differ from William H. Seward, we concede to him honesty of purpose, and the highest order of talent. He takes no halfway grounds, he does nothing by halves... He is at once the greatest and most dangerous man in the government... For eighteen years he has stood forth in the Senate of the United States, the great champion of freedom, and the stern opposer of slavery'. If one turns from the estimate of opponents to the judgment of his political friends, the words of Governor Andrew of Massachusetts in indorsing the nomination of Lincoln, do not exaggerate the appreciation of Seward at that time in the Republican party:--

'The affection of our hearts and the judgment of our intellects bound our political fortunes to William H. Seward,—to him, who is the highest and most shining light of this political generation,—to him who, by the unanimous selection of the foes of our cause, and our own, has for years been the determined standard-bearer of liberty...'.

George E. Baker in the Works of William Seward credits him with high ethos both within and without the Senate:

It will be seen that Gov. Seward has not been an idle spectator in the proceedings of the Senate. His voice has been raised on the most momentous questions in those halls 'where debate either wins a great influence or utterly wastes the speaker's power'. No one can doubt the effect of his active participation in the senatorial strife on his own fame. His speeches have not only been heard with profound respect in the august forum, where they were delivered, but they will be read with instruction and delight by the most intelligent portion of our republican population.

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56 Ibid., pp. 195-196.

In a later volume, Baker discusses Seward's re-election to the Senate in 1855, and says in part:

... Before the day appointed for the election of senator, a discussion arose in the assembly, in which Mr. Seward's public life was subjected to a searching review. As this debate proceeded his friends felt an increasing confidence in his success. At the same time his opponents, with apparent sincerity, continued to assert that his election by the present legislature was impossible. Under these circumstances the excitement rose to a great height. Throughout the Union the contest was regarded as one between freedom and slavery.58

After Seward's successful re-election:

This announcement soon reached every part of the Union, and in all the free states it was received with demonstrations of joy and approval. In Washington, the rejoicing among Mr. Seward's political and personal friends, in congress, and among the people of the city, was no less enthusiastic than in other portions of the country.59

Henry Cabot Lodge, in his Historical and Political Essays, considered Seward as a primary architect of the Republican party and one of the most effective advocates of its cause in terms of his following.

... Seward represented fully the class of statesmen, who, taking up a great reform, are able by their wisdom, moderation, firmness, and above all by their capacity for combination, to secure a large popular following, and thus carry their principles to victory ... .
... his speeches must be regarded as the best authority for the wishes and intentions of the masses of the Republican party at that period.60

58 Ibid., IV, pp. 34-35.
59 Loc. cit.
Frederic Bancroft, whose objectivity and conservatism serve to immunize him from the hero-worship to which many of Seward's biographers may have been subject, is fully cognizant of Seward's appeal to the masses.

... although no competent judge has pronounced him a great orator, yet no person of intelligence ever listened to his speaking with less than extraordinary interest ....

He understood how popularity and success are obtained. He knew when to appeal to the pride, the sympathy, the ambition, the indignation, the prejudice, the moral sentiment, and the imagination of those whom he addressed ....

... there was no intelligent New-Yorker who failed to see something to admire in Seward or who fully approved of him. Leader of a great, swelling chorus of partisans, Seward had nevertheless been a close understudy to the wisest and noblest non-partisan between the time of Washington and that of Lincoln .... 61

In his second volume, Bancroft adds:

Seward's oratory and genius for expression reached their highest development while he was Senator; for he was then in his prime physically, and had more time for reflection than later. Some have thought Seward's speeches more showy than brilliant. He was not an orator by nature, and his style lacked the flow and rhythm common in the best productions of such masters as Webster, Clay, and Beecher. But the speeches of no political orator of the period were so popular and effective, or attained so high an average of excellence. 62

Clearly Bancroft regards Seward as having had high ethos in the period with which we are concerned (1845-1861).


62 Ibid., II, pp. 77-78.
Even Robert Oliver, who, in his treatment of Seward's "irrepressible conflict" speech does not assign Seward a particularly high character rating, notes the reputation of the orator as follows:

The speaker was far from being unknown or insignificant. On the contrary, Senator William Henry Seward was known and admired nationally as one of the greatest Whig politicians since Webster. As a friend of the powerful Thurlow Weed and, until late 1854, of the gifted Horace Greeley, and the prime national opponent of Senator Stephen A. Douglas, he was an architect of the New Republican party, and likely to be the successful contender for the presidency in the next election. At fifty-seven years of age, Seward had already become a political legend.63

Unquestionably, Seward was well known. And it would seem that a number of competent historians would consider him to have had rather high antecedent ethos with northern audiences. In his home state of New York, he occupied a "favorite son" status, although there were unquestionably moments when his stock was at a low ebb, as after the Freeman trial which we shall discuss more fully later. Nationally, he had a large following, particularly in the 1855 to 1860 period when anti-slavery sentiment was rising to its height. When Seward spoke, say the historians, the masses listened and read—and large numbers were disposed to listen and read favorably. It should be of interest to us to examine a chronological sample of newspaper accounts made by contemporaries of Seward. Here, even allowing for partisan and/or journalistic exaggeration, the comments tend to support the views of Seward's biographers and of historians in general.

On January 12, 1856, The Republican Banner reported that:

He [Seward] stands before the country the acknowledged leader and champion of true Republicanism, and all the assaults of an unscrupulous administration and the sympathizers of a disgraceful despotism, only tend to endear him to the hearts of free men who acknowledge the truth and justice of the doctrine that "all men are endowed by their Creator with the inalienable rights of life, liberty, and the pursuit of happiness."64

This quotation would indicate that, in the mid-1850's, the strongly anti-slavery press was pro-Seward, and it also suggests that the press credited him with considerable ethos in the North. William H. Seward was not, however, destined to be the Republican nominee of 1860, and it is from the reports after that nominating convention that we get some of our best indications as to how the people and the press, or at least major portions of both, regarded Seward. The Eagle, May 26, 1860, made the following remark:

Thus ended the great republican convention of 1860, in the abandonment—not the sacrifice, thank heaven,—of the first statesman of the country, the man who above all others had the strongest claims upon the party there represented.65

It is worth noting that this editorial is apparently not out to attack Lincoln. It goes on to indicate its support for the ticket, pointing out that Lincoln was probably the best second choice, and suggesting that it was not Lincoln and his supporters who knifed Seward [although they certainly had a hand in it, whether Lincoln was in on the

64Republican Banner (Conneautville, Pennsylvania), January 12, 1856.

65The Eagle (Poughkeepsie, New York), May 26, 1860.
deals or not], but Greeley and Seward's enemies, who would have supported any candidate in order to take the nomination away from Seward. 66

From the point of view of a rhetorician who is concerned with the ethos of William Seward, it is not so important that many journalists comment on their high regard for him as it is that so many of them place emphasis on the high regard which they feel the people of the North had for him at the time of the nomination. For example, note this remark from the Woodstock Sentinel made on May 23, 1860.

... we hold that Mr. S. was defeated for those very reasons that caused us, and his friends generally, to support him.

When Know Nothingism was in its meridian, Senator Seward rose in his place and rebuked the fanaticism that would put the adopted citizen on a level with the negro,—and bid defiance to the midnight degrees of that bigoted order—thereby incurring the deadly hostility of that powerful party. He also is a strong Anti-Mason, and these oath-bound secret societies have effectually his defeat. For these very reasons, the adopted citizen, who comprise so large a portion of the Republican party—who in 1856 polled over six hundred thousand votes for Fremont—love him with an intensity that cannot be allayed—they admire him for his manly defense of justice when popular prejudice and popular fanaticism would have obliterated even the semblance of political liberty—they revere him for his long life, always devoted to Republican principles, and they cling to him with a friendship and love that time cannot weaken, and no cry of expediency shake off. They have followed Seward so long, that they will not forsake him now. Though he is not their standard bearer, he is still their leader; and will lead them on to labor for the election of LINCOLN and HAMLIN.67

66 Loc. cit.

67 Woodstock Sentinel (Woodstock, Illinois), May 23, 1860.
Whether or not we could agree with the Sentinel as to the cause of Seward's defeat, we would certainly note that the credibility of this source in regard to Seward's ethos is definitely not weakened by the fact that it was published in Lincoln's home state. Moreover, few students of history would find it difficult to believe that it is possible for a convention to nominate candidates who would not be the first choice of the party at large.

Certainly the Daily Intelligencer, on May 24, 1860, felt that Seward should have had the nomination, and said so very plainly.

Mr. Carl Schurz, of Wisconsin, very happily said, when, on behalf of his delegation, he rose to make the nomination of Mr. Lincoln unanimous, the failure of Mr. Seward to receive the nomination was "one of history's striking instances of the highest merit uncrowned by the highest honors." As it was in 1840 with Clay, the idol of his party, so was it in 1860 with William H. Seward. Both were sacrificed to expediency, and sacrificed too, at a time when the people were ripe for a change. Our sympathies go with the great statesman from New York in his defeat. We learned to love and admire him, years ago, and the feeling has grown with our capacity to appreciate his eminent worth as a man and a statesman. And it affords us a sincere pleasure, now that he stands divested of the charms that probable success is supposed to inspire, to record for him our unabated attachment and preference.  

And on May 25, 1860, the Long-Islander indicated the same sentiments.

... Sharp, indeed, is the indignation and shame of thousands and tens of thousands who hoped and confidently expected to see Mr. Seward nominated.  

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68Daily Intelligencer (Wheeling), May 24, 1860.
We believe, had the question been put to the mass of Republicans, or had Mr. Greeley's plan of voting directly for President been in vogue, William H. Seward would have commanded four-fifths of the whole suffrage.69

The National Anti-Slavery Standard, which would be expected to favor the Republicans in the election, was so incensed at Seward's defeat as to say on May 26 that:

We think the Republican party better to hold back the wheels than to drive the car of State. We fear they are not yet strong enough for the place. Perhaps in four years they may grow up to it, or give place to a more stalwart successor.70

This newspaper also suggested that Seward would have won the nomination had he not retreated somewhat from his "Irrepressible Conflict" doctrine in a later address. Of course, this weekly also predicted that Lincoln would lose—a fact which does little for its credibility, when most of the contemporary newspapers in the North seem to have been predicting the outcome of the actual election much more accurately.71

On the same date, the Cohoes Cataract described Seward's image with the people most succinctly, saying:

For the past three years, he [Seward] has been the nominee of the people, and it was supposed that the Chicago convention would have nothing to do, and could do nothing but ratify the people's choice and find a candidate for Vice-President.72

69 The Long-Islander (Huntington), May 25, 1860.
70 National Anti-Slavery Standard (New York), May 26, 1860.
71 Loc. cit.
72 The Cohoes-Cataract (Cohoes, New-York), May 26, 1860.
So we have partisan writers in partisan papers, all bewailing the fact that their idol had been shelved on behalf of an Illinois rail splitter. At this tense time in American history, with so much hinging on the outcome of the election, with pro- and anti-slavery sentiment at a fever pitch, with disunion already threatened, and with "yellow" journalism in vogue, how much can we rely on the reports of these newspapers? We must begin by recognizing that the language is highly "connotative" by modern standards, as was the custom of the day. Moreover, we must give some recognition to the fact of "journalistic license." Even having done this, however, we can only conclude that in the North, particularly among the strong anti-slavery wing of the Republican party and among the foreign-born citizens, Seward had strong support. Indeed, it seems unquestionable that many did regard him as the almost certain nominee for 1860.

A man does not normally rise to such a position in a short period of time. It seems reasonable to conclude, therefore (and this will become more evident as we look at Seward's career), that Seward had been building a reputation over a period of years. Following from this, we can assume that in most of his speaking, particularly from about 1850, he enjoyed high and steadily improving ethos.

As we analyze the nature of Seward's ethos in 1860, it is not without relevance to ask in retrospect could he have been elected President had he, instead of Lincoln, been the Republican nominee. It seems probable that he could. It is instructive to note that Lincoln
was elected on a platform which, although offering something to everyone, incorporated the basic tenets of Seward's principles. Lincoln, moreover, was elected with Seward stumping the country in his behalf. Finally, Lincoln was elected with the South against him and a large number of disappointed Seward supporters giving him lukewarm support. Even allowing for the possibility of less support in the moderate border states, it seems reasonable to conclude that Seward could have been elected by a plurality approaching that of Lincoln's.

An equally important hypothetical question arises as to whether a Seward election would have done anything to save the Union. Here the answer is almost certainly no. The South feared any "Black Republican," and we have already observed that Seward was particularly hated by the South. His election would have probably hastened the secession of even the more moderate elements in the South. What would have followed is anyone's guess. Lincoln is immortalized as a martyred President. Seward, defeated by Lincoln in an upset and gravely injured in the same assassination attempt which took Lincoln's life, is remembered by the students of today, if at all, as the purchaser of Alaska. Certainly his election would have changed history, but how much and in what directions is a matter of conjecture.

It is interesting, in any case, to see if Seward's ethos continued to be high after the nomination and election. Some of the comments made in regard to his conciliation speech of January, 1861, give some insight into this question. One such is found in the strongly
The acknowledged leader of a successful party, the recognized mouth-piece and chief adviser of the incoming administration, standing, if not within the enemy's territory, yet on the very brink of the chasm which threatens to yawn between the North and the South, with news coming in hourly of the secession of State after State, amid the clash of arms and the shouts of war, Mr. Seward held an occasion and a topic greater than falls to the lot of great men oftener than once in a century.\(^7\)

On the same day, the *Lawrence American* felt that:

> Probably no address ever placed before the people of this confederacy, was awaited with so much earnest expectation, or read so widely and universally, as the great speech of Senator Seward, in the Senate on Saturday last, upon the value of the Union and the means to be used for its preservation . . . .\(^7\)

The *Weekly Champion* may be a bit over-enthusiastic when it maintains that

> When Seward speaks, nations listen. Of American statesmen he is leader and chief. Of American orators he is first and greatest. Of American patriots he is purest and best. He never says anything that is not great and noble, and true.\(^7\)

It seems doubtful that Mr. Seward's ethos was universally as high as it was with the *Weekly Champion*. But it appears that his image remained good in the anti-slavery press and with large portions of the North during the election of 1860 and through the early days of 1861.

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\(^7\) *Lawrence American*, January 18, 1861.

\(^7\) *Weekly Champion* (Atchison, Kansas), January 26, 1861.
In any case, notwithstanding his ethos or the quality of the speech which he gave in 1861, Seward could not prevent the war. He served as Secretary of State during and after that war, and that period of his life is of more interest to the pure historian than to the rhetorician. But it is reasonable for us to be curious as to whether his ethos continued on a lofty plane during this time. Having previously noted the disdain with which Seward was viewed in the South we may note with interest this 1865 comment from the Daily Standard of Raleigh, North Carolina:

There never was, perhaps, among any people, in any age or country, so great and sudden a revolution in the public feeling, in regard to any distinguished man, as has taken place in the minds of the Southern people in the last few months, in reference to the present Secretary of State, William H. Seward. For many years before the war he was regarded as the very impersonation of hatred and bitterness towards the South, and everything Southern in character . . .

These opinions of Mr. Seward, though generally entertained by the Southern people, were not shared in by all. The writer of this never concurred in this estimate of his character. We had, for many years past, observed Mr. Seward's course closely. We read his speeches carefully, and reflected on them calmly. We may further add that we always read them with pleasure. We never failed to derive instruction from them, and where we did not concur in opinion with him we never felt any bitterness or personal unkindness towards him. We were sure that public opinion in the South did him great injustice . . .

An entire change has taken place, and is still progressing in public opinion, at the South, in regard to Mr. Seward. Strange to say, bitter as was the feeling once against him, he is now regarded as less vindictive in his feelings toward the Southern people, than any member of the Cabinet . . . .

76 The Daily Standard (Raleigh, North Carolina), September 22, 1865.
It is interesting, indeed, to find a Southern editor expressing this opinion of Seward in the bitter days preceding Reconstruction. One cannot help but feel that history, for the most part, may never have fully appreciated this man's contribution, and that his party may well not have given him the honors he had earned.

The effective ethos which Seward possessed seems to have remained with him, as far as large segments of the people were concerned, throughout his life. Upon his death in 1872, the American press again published glowing tributes to him, similar to those which appeared after his defeat in 1860 and after his speech of 1861. In May, 1873, for example, Harper's Weekly told its then 150,000 readers:

Merited honors paid to moral and mental excellence are always useful, and there are few of our countrymen who have better deserved the esteem of the community than WILLIAM H. SEWARD. Friends and foes, we believe, will now unite in admitting that he was patriotic, disinterested, a sincere friend of freedom; that his intellectual faculties were strong and active; and that he exerted a high and beneficial influence over the fortunes of his country. New York will always honor the name of SEWARD as one of its most eminent politicians, and the eulogy delivered by Mr. ADAMS at Albany expresses very closely the general sentiment of the nation. 77

In death, then, as in life, William H. Seward apparently projected a favorable image to large segments of the American press and to much of the public. It would seem reasonable to suggest that he would have enjoyed high ethos throughout much of his speaking career with

most of the audiences he addressed, particularly if we conceive of
his Senate speeches as directed partly, if not primarily, to the
secondary audiences composed of the northern press and the masses of
the citizenry.

Chapter Summary

In summary, what were the attitudes of the "Ante-bellum
Americans" which would have influenced the speaking and the effective­
ness of William Seward? First, the nation was enjoying a period of
unprecedented growth and expansion. The people were extremely material­
istic, and an attitude of arrogance, almost of foolhardiness, pervaded
much of the nation.

Second, his career embraced the period during which sectionalism
developed and expanded. Although the nation divided into many sub­
cultures, the clearest chasm was that which developed between the "free"
North, and the "slave" South. These cultures did not understand, or
care to understand each other, and each was susceptible to vehement
rhetoric against the other.

Third, the North underwent a period of "democratic and
humanitarian stirrings"; and of "isms" which generated great social un­
rest and excitement, and which made the people highly susceptible to
the appeal of the mass movement, whatever its nature might be.

Fourth, Seward enjoyed high personal ethos with large portions
of the Northern audience. Perhaps more than any other leader of the
time he was able to command the interest and support of the ardent
abolitionists without completely losing the support of the more moderate members of his political party. Thus, he was able to advance to such a position of eminence that he appeared to be the front runner for the Presidential nomination of 1860. Even after a number of factors combined to defeat him for that nomination, his ethos continued on a lofty plane until his death.

Seward was undoubtedly perceptive enough to be aware of some of the many factors which influenced the attitude of his target audience. What he did not perceive, and seemed unwilling to believe even after the nomination of Lincoln, was that the leaders—political, economic, social and religious—could not play upon the "divisive" attitudes of society forever without disastrous results. Therefore, in common with many of the other Northern leaders, he played a major part in uniting the various "isms" into a unified anti-slavery front, which, despite his heroic last-minute efforts at compromise, led to the very "Irrepressible Conflict" which he had prophesied.

In this chapter, we have examined, in an overview, the attitudes of the audience faced by Seward. We have considered their general attitudes, their views toward slavery, and those toward Seward. We are now ready to look at William Seward, the man, and at his speaking career, beginning with Chapter III, "The Formative Years."
CHAPTER III

1801 - 1843

THE FORMATIVE YEARS

The common chronological facts of Seward's life are recorded with fundamental agreement by a number of authorities.¹ It would add little, and would serve our purpose in no way to attempt an exhaustive synthesis of those facts here. It would seem more valuable for us to refer briefly to some of the more important aspects in passing, and to place our emphasis on those events or incidents which would seem most likely to have had an influence on Seward as a speaker in later life.

Birth and Youth

Seward's father, Samuel S. Seward, came from a family of Welsh extraction, and his paternal grandfather, John Seward, had been a colonel in the Revolutionary War. His mother, Mary Jennings Seward, was of Irish origin. William H. Seward was born in Florida, Orange County, New York, May 16, 1801, into a community of New England emigrants, heavily imbued with Puritan traditions.

¹Baker, op. cit.; Bancroft, op. cit.; Hale, op. cit.; Lodge, op. cit.; Lothrop, op. cit.; and especially Frederick Seward, op. cit.
His parents decided early that he should be singled out to receive extensive education. This decision seems to have been motivated as much by his lack of physical strength as by his precocious intellect, although he reportedly possessed the latter. The common school system of New York not having been established, Seward attended several different schools in the immediate area, until he was nine years old.

**High School**

At the age of nine he was sent to Farmers’ Hall Academy, at Goshen. According to George E. Baker:

The records of the "Classical Society" of Goshen, and of the "Goshen Club," still exist, showing young Seward to have been an active member of each—the constitutions and minutes of proceedings being mostly in his handwriting. Among the principal exercises of these two societies, were declamation, debates, and compositions. In nearly all the debates which are noticed, Seward has a part, and then as now he was generally found on the right side.\(^2\)

Whether or not the scholar of today would be disposed to accept the value judgment of 1855 that "he was generally found on the right side," it is at least clear that Seward received experience in speech and debate from his earliest high school days.

Seward, in his autobiography, does not refer to these early debates. He does, however, tell of speaking experience which he received after transferring to a newly established academy in Florida, New York.

He remarks, with considerable irony, on the master's abortive attempt to instruct a farmer's son in the fine art of declamation; and on his own first attempt at original composition which began "On Virtue. Virtue is the best of all vices."3 He was not directly active in the debating society at this new academy, but he does indicate a continuing interest in this activity.

"The Debating Society" continued, with interruptions several years. I profited by the debates, although I think, from diffidence or some other cause, I did not participate in them. The debate was at that day a prominent feature of college societies. If I were required now to say from what part of my college education I derived the greatest advantage, I should say, the exercises of the Adelphic Society. It was under this conviction that I afterward cheerfully associated myself with debating societies, during the studies of youth in Goshen, New York, and Auburn.4

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Early Exposure to Slavery

If Seward's early experiences in public speaking and debate help account for his later success, another youthful experience accounts for the crusade which became the main theme of his adult rhetoric. That is, of course, his confrontation with slavery. His family owned slaves, as did most of the neighbors, and Seward frequently played with a Negro youth named Zeno. He tells of Zeno's being whipped and forced to wear an iron collar which he ultimately broke and ran away forever; of the "seduction and disgrace" of his father's female slaves; and of the

4Ibid., pp. 23-25.
general level of superstition and vice among the Negroes. He deprecates these problems, blaming them upon the masters, and says that:

I early came to the conclusion that something was wrong, and the "gradual emancipation laws" of the State, soon after coming into debate, enabled me to solve the mystery, and determined me, at that early age, to be an abolitionist.5

Thus, early in life, environmental events began to shape the life of the man who was to announce the "Irrepressible Conflict." Seward closed his preparatory studies in a new term of six months at the old academy in Goshen, and was ready to enter Union College of Schenectady in 1816. He passed the examination for entering the junior class, but was enrolled as a sophomore, in view of the college rule requiring a junior to be at least sixteen years of age.

College Years

Union College used the tutorial and memorized recitation system then common in American institutions. Seward temporarily withdrew from college after a dispute with one of the tutors, but was reinstated upon the intercession of President Eliphalet Nott and the presentation of required apologies. In his junior year, Seward was initiated into Phi Beta Kappa, the society having established its fourth chapter at Union College (the first three being at Harvard, Yale, and Dartmouth).

Toward the end of his junior year, Seward made his first "political" speech. Historians hardly mention this address, nor did Seward say

5Ibid., pp. 28-29.
much about it in his autobiography. Evidence which is available suggests that the Republican students of Union College (the old Republican party; the "Bucktails," anti-federalists, opponents of DeWitt Clinton) held a reception for the then vice-president, Daniel D. Thompkins, and asked Seward to deliver a few remarks. At this time, Seward was still influenced by the politics of his father. As he grew to be more independent, he deviated from those politics to become an advocate of a strong national government and internal improvements, and an opponent of slavery. This transition naturally led him away from the precepts of the old Republican party, which later became the Democratic party.

During Seward's years at Union College a dispute had been developing between Seward and his father, centering around certain tailor bills accumulated by the youth. His father refused to pay these "unreasonable" bills. Unable to meet this pressing financial obligation, Seward on January 1, 1819, without notice to anyone, left Union College with a classmate who was going to take charge of an academy in Georgia. Thus began another experience which seems to have influenced Seward's later course of action.

Seward was hired to teach in the Georgia academy while his friend found more lucrative employment in Augusta. During Seward's stay in Georgia, he was constantly exposed to slavery and his greater knowledge of it only served to reinforce his previous hostility to the institution. This interim period ended through family intervention. Seward's father
wrote to the President of the Board of Trustees, threatening prosecution. This letter, however, did not bring about the youth's return. That was accomplished through pleading letters written by his mother and sister.

It is interesting to note that Seward was the third member of the family to leave home after a monetary dispute with the father; two brothers had taken that course earlier. The debts involved in this case were something less than one-hundred dollars. Although this incident would indicate a good deal of independence and strong-willed action on Seward's part, it is unfair to criticize him too greatly for his conduct. Reflecting on this incident over sixty years later, Seward was to note that:

I would by no means imply a present conviction that the fault in the case was altogether with my father. On the other hand, I think now that the fault was not altogether mine.\(^6\)

Seward re-entered Union College in January to graduate with the senior class succeeding the one in which he should have graduated. This gave him a six-month interval, and he seems to have put the time to good use. He entered an attorney's office and studied elementary law-books in Florida and Goshen. He also began earning small fees as an advocate in the justice's court, and applied these fees to the liquidation of the bothersome tailor's debt.

Upon his return to college, Seward was involved in something of a preview of the great conflict which was to split the nation in forty years. There had been two literary societies at Union College, the

\(^{6}\text{Ibid.}, p. 36.$
Philomathean and the Adelphic. The former was slightly the older and larger while the latter claimed the superior scholarship. Seward, as has already been noted, was a member of the Adelphic. A number of "Southerners" had entered Union College, and joined the Philomathean. Shortly, after complaining of oppression, they seceded and organized a third and exclusive society under the name of the "Delphian Institute." Because of Seward's independence of character, his experience of six months in the South, and his loyalty to the institution, he was chosen to arbitrate the struggle.

The Adelphic Society favored the split, hoping that it would weaken the Philomatheans. Seward, while making "due acknowledgment of the hospitable and chivalrous character of the South," rendered a decision that the Southern secession was unjustifiable and disloyal to the institution and the country. His verdict so angered his own society, the Adelphic, that he was brought before a court of students for "some offense against the institution, the nature of which I do not remember, but the punishment for which was expulsion." He presented his defense, and then left the court so as not to embarrass the members by his presence during the debate and vote. He was triumphantly acquitted, and went on to be elected as one of the three representatives of the Adelphic Society who were to speak on commencement day, to be chosen by the class as one of its commencement managers, and to graduate with honors.

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7Ibid., p. 46.
Seward comments, obviously with tongue-in-cheek, that:

A review at this day of the experience of this my last term at college leaves me in doubt upon the question of precocity. My chef d'oeuvre in the Literary Society was an essay in which I demonstrated that the Erie Canal (then begun under the auspices of DeWitt Clinton, the leader of the political party in the State to which I was opposed) was an impossibility, and that, even if it should be successfully constructed, it would financially ruin the State. On the other hand, the subject of my commencement oration was "The Integrity of the American Union."8

He also notes that:

Commencement in July was signalized by an open feud between the Delphians, now known as "Southerners," and the combined Philomatheans and Adelphics, now the Northern party. The class separated on the stage, and I think it was not until thirty years afterward that I received a kind recognition from any one of the seceders.9

It is instructive to note, in retrospect, that as a youth in 1820 William H. Seward should play a part in this small drama at Union College so reminiscent of the role he was to play in the great national tragedy of the 1860's.

At this point we have observed Seward's early experiences in public speaking and debate; we have become aware of his initial exposure to and disapproval of the institution of slavery, and we have noted certain outstanding incidents in his college life. The courses which he took in Union College are equally germane to our study of his speaking.

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8Ibid., p. 47.
9Loc. cit.
Despite the fact that academic records of Seward were evidently destroyed by fire, it is possible to obtain information concerning the Adelphic Society and the college curriculum during the period when Seward was enrolled. In a letter to the author, Henry J. Swanker, Director of Alumni Relations at Union College, gave the following description of the honorary society as it existed in the 1820's:

William H. Seward was a member of the Adelphic Society during his undergraduate years. From the constitution I quote: "form ourselves in a society for the promotion of the following three great objects: Literature, Friendship and Morality." A requirement of the members was an oration or read an essay each semester (3 per year); and a prime occupation of the group was to debate. A second group formed for debating called the Philomathean did not list William H. Seward as a member in the catalogue of 1820 but as an honorary member in the catalogue printed in 1846.10

Swanker further suggested that the curriculum of the day would have been as follows:

Freshman: Cicero, Horace and Latin Prosody, Herodotus and Thucydides (with composition and declamation); Xenophon's Cyro'ä and Anabasis, Roman antiquities, Livy (with composition and declamation); Sallust, algebra, Lysias, Isocrates and Demosthenes (with composition and declamation).11

Even though he was admitted as a sophomore, and would not have been required to have taken these courses, Seward was forced to demonstrate his proficiency in them in an entrance examination. Beginning as

11Loc. cit.
a sophomore, he would have taken the following:


Junior: Trigonometry and Applications, Hesiod and Sophocles, Rhetoric; Cicero de Oratore, Conic Sections, Natural Philosophy (Statics); Political Economy, Medea, etc., Natural Philosophy (Dynamics, Hydros).

Senior: Intellectual Philosophy, Lectures on Electricity and Magnetism and Biot's Optics, Elements of Criticism (Kames); Astronomy, Moral Philosophy, Kames and Lectures on Chemistry; Hebrew, Greek Testament, with Lectures on Biblical Literature; Lectures on Elements of Criticism, Chemistry, Botany, and Mineralogy.\(^\text{12}\)

What could be a better curriculum for the traditional orator than a knowledge of Cicero, Lysias, Isocrates, Demosthenes and Aristotle, reinforced with moral and intellectual philosophy? Of all these subjects, Baker has noted that Seward's "... favorite studies in college were rhetoric, moral philosophy, and the ancient classics."\(^\text{13}\)

Thus Seward emerged from his collegiate experience with a background ideally suited to the development of an anti-slavery orator. At the age of twenty he had experienced public speaking and debate as both a high school and college student; he had developed a dislike of slavery which was to give him a theme for much of his adult speaking; he had an elementary knowledge of law, and some "life experience" outside his academic environment.

\(^{12}\)Loc. cit.

\(^{13}\)Baker, Works, op. cit., I, p. xvii.
Continued Legal Education

After graduation from Union College Seward returned to the law office in Goshen where he had previously read law. In the autumn of the following year he became a student in the office of John Anthon in New York City. This gave him an opportunity for growth, as well as greater insight into his weaknesses as a speaker. He indicates:

The young lawyers and students in New York, then less numerous than now, had a literary society called "The New York Forum," in which they in private tried causes as a mock court; while they defrayed their expenses by the sale of tickets of admission to their public meetings, in which they recited or declaimed original compositions. I was an active and earnest member of this association. It was useful to all its members, while it afforded me one experience peculiarly useful to myself. Earlier than I can remember, I had had a catarrhal affection, which had left my voice husky and incapable of free intonation. I had occasion, throughout my college course, to discover that I was unsuccessful in declamation. When I came to deliver my own compositions in competition with others, they received applauses which were denied to me. This discouraged me as a writer. The same experience continued in the public exercises of the New York Forum. A fellow law-student, who very soon afterward attained distinction, which he yet enjoys, as a great and eloquent divine, always carried away the audience by his declamation in these debates. He assured me that my essays, which fell upon the audience with much less effect, were superior in merit to his own, and generously offered me a chance for trial. He wrote and gave to me the best essay he could produce; and I, in exchange, gave him one of mine. I pronounced his speech as well as I could, but it did not take at all. He followed me with my speech, and Broadway overheard the clamorous applause which arose on that occasion in Washington Hall.\(^{14}\)

In the spring of 1822, Seward returned to practice and study in Goshen for a period of six months, prior to taking the bar examinations. It was during this time that state politics shifted in such a way as to

bring Seward much cause for reconsideration of his political affiliation. A constitutional convention was held, and a new constitution submitted. Although the constitution liberalized many things, it imposed a property qualification on Negro voters and denied the people the right to elect the inferior magistrates, granting this power to the county courts. Seward was vexed to find the Clintonians more liberal on these issues than was the party of his father. He also noted the great success of the Erie Canal, which two years before he had declared impractical.

Early Practice in Auburn

Having passed the bar examination, Seward accepted a position as a junior partner in the law firm of Elijah Miller in Auburn, and early began the practice of trying his own cases in court. Within a year he had acquired some reputation, and had discharged his college debts.

Seward reflected at length on the political events of the day and on his present political affiliations. Finally, he came to this conclusion:

I found that, after all, politics was the important and engrossing business of the country. It was obvious, too, that society was irreconcilably divided on the subject of politics and religion. Whatever might be a man's personal convictions, and however earnestly he might desire to promote the public welfare, he could only do it by associating himself with one of the two political parties which contended for the administration of the government. A choice between parties once made, whether wisely or unwisely, it was easy to see must be practically irrevocable. 15

15 Ibid., p. 54.
Seward had been taught that the old Republican party was the loyal and desirable party. But he found himself, as a man, unable to accept that party’s tendencies to condone slavery and oppose internal improvement. Therefore, in the election of 1824, he broke with his previous training, supported DeWitt Clinton for Governor and John Quincy Adams for President, and produced his first publications in politics, drawing up the Address of the Republican Convention of Cayuga County to the people, in which he attacked the Albany Regency.

It is worthwhile at this point to question the consistency of a man who regarded choice of party as practically irrevocable, but was a Democratic-Republican in his youth, a Clintonian National Republican in 1824, an Anti-Masonic state senator, a Whig Governor and Senator, and a Republican Secretary of State. Seward made the following comment in his autobiography:

But, though I thus chose my religious denomination and political party, I did so with a reservation of a right to dissent and protest, or even separate, if ever a conscientious sense of duty, or a paramount regard to the general safety or welfare, should require.\(^\text{16}\)

It should be noted also that the parties themselves underwent considerable changes in name, structure, and position during Seward's career. Seward seems to have always stuck with the party which most clearly approximated his principles, although he avoided "third parties" where he thought his efforts would be wasted. He also evinced great

\(^{16}\text{Ibid.}, \ p. \ 55\).
loyalty to the party with which he was affiliated at any given time, even if its platform and candidates were not fully representative of the principles which he himself professed.

In the year 1824, while working at Auburn, Seward met for the first time Thurlow Weed, who was to be so instrumental in Seward's later career. The meeting occurred when Seward was taking a stage-coach excursion to Niagara, in company with Frances Miller, who had become his fiancee, her father (Seward's senior partner in law) and Seward's family. The stage broke down in Rochester, and Weed was among the group of citizens who offered assistance.

1825 to 1828

William H. Seward married nineteen year old Frances A. Miller on October 20, 1825. During the years 1825 to 1828 he continued his public speaking in addition to his regular practice of law.

On July 4, 1825, he delivered an anniversary oration at Auburn. In February of 1827 he spoke to a group of Auburn citizens gathered to raise aid for the Greek Revolution. In July, 1828, the Adelphic Society of Union College invited him to deliver a eulogy on David Berdan, a member of the society who had died on his passage from London to Boston, July 20, 1827.

These speeches are interesting, and certainly contributed to Seward's development. They do not, however, fall within the scope of our study except as passing references. It is worth noting, nevertheless, that the July 4th oration expressed many of those principles
embodied in Seward's later and greater speeches. Nullification had been an issue over the Missouri Compromise and the Tariff of 1824. Seward, according to Baker:

... argued the capacity of the government for the extension of empire, asserting the perpetuity of the Union on the same grounds that have been advanced in his later productions. Announcing his devotion to the great principles of emancipation, he insisted that the United States should be a "city of refuge" for the oppressed and downtrodden of every nation.17

In addition to the speaking experiences, this period held two very important events in the life of William Seward. Both of these involved his political career. In January, 1828, a gentleman named Seneca Wood resigned from his position as Surrogate of Cayuga County and recommended Seward as his successor. Governor Clinton approved this appointment and sent it to the state senate for ratification. Meanwhile, the party divided, Clinton supported General Jackson while others continued to endorse John Quincy Adams. Seward went with the "National Republicans" in supporting Adams. Needless to say, his appointment was rejected by the Senate.

Much more significant to Seward's later success was a convention of the young men of New York which met to support the re-election of John Quincy Adams. It convened at Utica on the twelfth of August. The preliminary caucus produced a deadlock between rural elements and the New York City delegation as to the chairman for the convention. Seward proposed a preliminary vote with the minority pledging to acquiesce, and

meet at 9:00 A.M. prepared to decide the question by an immediate ballot at that hour without debate. This was accepted, but when he arrived the next morning, Seward was met by the two rival candidates who delayed him for a few moments, after which he entered the room to find himself being greeted as President by unanimous standing acclamation.

1828 to 1830

The strange political phenomenon of anti-masonry, which is little known to the citizen of today, played a crucial role in the early political career of Seward. Lodge provides a good synopsis of the unusual quirks of fate which ultimately placed Seward in the state senate as an anti-mason.

His first political success came to him in a curious way, through that oddest of all political movements, anti-masonry. Even when they were old men, writing their autobiographies, after the close of most active careers, both Seward and Weed were unable to rid themselves of the idea that there was real meaning and force in the anti-masonic agitation. Beginning as a local excitement induced by the folly and violence of a few headstrong and determined men, anti-masonry developed into a political crusade against secret societies. So far as we can judge now, the only peculiar principle of the anti-masons was to exclude masons from office. In other respects, their creed was that of the National Republicans, or Whigs.\(^\text{18}\)

When we take due note of the fact that the anti-masons adhered to the same predilections as the party of Seward, it is not difficult to trace and understand his involvement in the movement. Drawing heavily upon his autobiography, we find that the 1828 candidate of the Republican

\(^{18}\text{Lodge, op. cit., pp. 12-13.}\)
party, Andrew Jackson, was identified as either being a Freemason or having the support of that organization; Adams, although not an anti-mason, was not a member of the secret society. The anti-masons decided to support Adams, but wanted to run separate electors and local candidates.

Some of Seward's neighbors, who had shifted to the anti-masonic party, attempted to induce him to join their new group. Seward attempted to hold them in the National Republican party, but, failing that, tried to influence them to form a coalition nominating the same electors for the presidential campaign. Among other choices, the local anti-masons agreed to nominate one Archibald Green for Congress; Seward agreed to try to get the National Republicans to nominate him as well. He wrote and gave to the anti-masons a resolution in behalf of Mr. Green. However, when the convention was held, in Seward's discreet absence, Mr. Green was rejected and Seward nominated. To make matters worse, the anti-masons used Seward's resolution verbatim, only changing names. Thus Seward, then twenty-seven, became "one of the earliest pioneers of Western New York, matured by age," and "covered with the titles of official distinctions." 19

The reaction of the National Republicans was predictable. Not only was Seward not nominated by them, but he was relegated to such a low position of esteem as to exercise no control over the convention. He declined to be a candidate, in hopes that the National Republican nominee

could carry the election. The predictable, however, happened. The anti-masons and National Republicans split the vote, giving the election to the Republicans. Adams had sixteen electors out of thirty-six, but only eighty-three votes in the Congress to Jackson’s one hundred seventy-eight. Martin Van Buren, for Governor, received 136,794 votes; Thompson (National Republican) received 106,444; and Southwick (Anti-masonic) received 33,345. Thus, the third party gave the election for governor to the old Republican party.

The anti-masons, encouraged by their vote, refused to compromise, and the National Republicans, discouraged by defeat, waned throughout the country. Seward, in an apparently realistic appraisal of the anti-masons, says:

It seemed to be hoping too much to expect that a party arising from a single issue, and that of a social, more distinctly than a political nature, confined as yet to a small section of the country, and deriving its weapons chiefly from its determination to vindicate the law through courts of justice, could succeed to the position of one of the two great contending parties of the Union. For myself, it was not necessary that I should expect, or even hope, for an ultimate and complete success of the new organization. I saw the National Republican party, through which I had so far labored since my majority, practically dissolved and in ruins, not again to be restored. I had only the alternative of going with that one which not only agreed with me throughout in the principles and policy, State and national, that I cherished, but the peculiar object of which also seemed to commend itself to the support of all independent and virtuous citizens.20

20Ibid., p. 74.
In an Anti-masonic convention held at Albany at the beginning of 1830, Seward made a speech which won the confidence of the delegates sufficiently to make him one of the leaders along with Thurlow Weed, Francis Granger, John C. Spencer, Frederick Whittlesey, William H. Maynard, and Albert Tracy. Fifty-six delegates were appointed to attend a national convention in Philadelphia in September. Provision was made for establishing the Albany Evening Journal under Thurlow Weed as the organ of the party.

While returning from the September convention, Seward stopped overnight at Bordentown, and learned through the newspapers that he had been nominated as candidate for State Senator of the seventh district of New York. He won the election by a majority of two thousand votes, thus becoming a member of the decided minority group in the legislature and embarking on his first public office.

1830 to 1834

Seward considered his election to the Senate to be both a great honor and a challenge. He did not, however, feel very confident of his ability. In his words:

It seemed to me that while the people had exercised due deliberation and judgment in preferring the thirty-one Senators by whom I was surrounded, I had been sent without popular thoughtfulness or reflection. At first it amazed me to see my associates on every side of the House rise, and, without embarrassment, submit projects of laws and debate political questions without showing
any want of firmness in their posture or embarrassment of speech, while my own knees smote each other and my tongue clave to the roof of my mouth whenever I thought of taking the floor.\footnote{Ibid., p. 82.}

Lodge comments on this account by Seward, and also notes the great value of this legislative training in Seward's later career.

It is amusing to read his own account of his first speech at Albany, which he delivered in a condition of blind confusion, and to reflect that this embarrassed orator was the man who, in the senate of the United States, faced for ten years a desperate and fierce majority of slaveholders, and argued with unsurpassed clearness and courage the cause of freedom. After the ice was broken, however, Seward moved on easily enough. He had a fine gift of speech, and was fortunate, also in being, during these first four years, one of a hopeless minority,—the best training which a young man can have for a political and parliamentary career.

The senate of New York was then a highly important body, for, in addition to its legislative functions, it sat as a court of last appeal, after the fashion of the House of Lords. Seward thus had an opportunity to establish his legal as well as his parliamentary reputation. How well he succeeded is shown by the fact that his skillful and bold resistance to the measures of the all-powerful Jacksonian Democracy and his ability in dealing with all local questions made him at the close of his second term, and when he was only thirty-three years old, the acknowledged leader of the opposition in the State. This was so universally admitted that in 1834 he was put forward as the candidate of the young Whig party for governor, and, although defeated, made a fine run and polled a large vote.\footnote{Lodge, op. cit., pp. 14-15.}

Among the measures upon which Seward spoke during this first term were the Militia Bill, popular election of mayors, and the abolition of imprisonment for debt. In November, 1831, he was re-elected on the anti-masonic ticket.
In 1832, Seward took an active part in debates on questions of taxation, revenue, management of the public funds, and other matters of State administration. He opposed the denunciation of the Bank of the United States, but the Jacksonian majority passed the measure. He was also much involved in the judicial actions undertaken by the Senate acting as a Court of Errors.

In the presidential election of 1832 the anti-masons nominated William Wirt and the National Republicans nominated Henry Clay. Both parties, however, concurred on Granger for governor and supported the same set of presidential electors, leaving an interesting question as to how these electors would vote if chosen. This was not brought to a test, as the old Republicans carried the State by thirteen thousand. Only six states in the union dissented from the re-election of Andrew Jackson.

Seward opposed Jackson's destruction of the National Bank, supported him in his prompt action against South Carolina's doctrine of nullification, and remained silent on Clay's compromise tariff, acquiescing in Congress' passing of the measure as the lesser evil. He had perceived that, if the coalition of anti-masons and National Republicans was unable to carry the state of New York, new and more drastic action must occur if a real opposition were to exist. That action, of course, was to be the Whig party.

But for the time, Seward simply stood for those principles which marked his political career—internal improvements, opposition to
slavery, and a strong and unified central government. He bided his time, regarded the election of Jackson as due more to popular sentiment in favor of the great war hero than as a mandate of popular support for Jacksonian principles. In company with his family, he made an extended visit to Europe in 1833, visiting, among other notables, the famed Lafayette, whom Seward had previously met on Lafayette's tour of the United States.

Returning to his duties, Seward served in the Court of Errors until the reconvening of the Senate on January 1, 1834. On July 16, 1834, he delivered a eulogy on the passing of Lafayette to the citizens of Auburn. Baker's comment on this eulogy is worthy of note:

This was a chaste and beautiful production. It presented an admirable analysis of the character of Lafayette, with a discriminating review of the principles of the American Revolution and of the successive phases of French politics from the death of Louis XVI. An account of a recent personal conversation between Mr. Seward and Lafayette, added greatly to the interest of the discourse.\textsuperscript{23}

During the year 1834, Great Britain abolished slavery in the West Indies by act of Parliament, and provided for compensated emancipation. Three simultaneous movements against slavery in the United States were also attracting attention. These included the "Underground Railroad," the "American Colonization Society," and the "American Anti-slavery Society."

\textsuperscript{23}Baker, \textit{Works}, \textit{op. cit.}, I, xxxvi.
The elections of 1834 proved disastrous for anti-masonry throughout the country. Seward and others agreed that it was defunct in the state of New York. As a result, many members of the movement declared their political independence and others joined the triumphant Democrats (the name by which the old Democratic-Republicans had come to be known). Seward's new independent status seemed to strengthen his image in the state senate. However, he was still one of a hopeless minority of six who opposed, among other measures, additional resolutions supporting the actions of President Jackson in regard to the Bank of the United States.

In the midst of this session, the new Whig party elected a majority in the Common Council of the City of New York, and failed to elect a mayor by a mere one hundred eleven votes. Seizing on the opportunity to build this young and vibrant party into a national opposition, Seward, Weed, and others began a canvass for a suitable gubernatorial candidate. For one reason or another, all of the prospects to whom the nomination was offered proved unavailable, and Seward became the candidate. Although he was defeated, he had taken a major step forward in his political career.

Seward had completed his autobiography up to this point at the time of his death. His son, Frederick, took up the narrative, and this text, written by one who knew Seward so well, serves as a prime source for many of the details about Seward's "Formative Years."
1834 to 1838

Having been defeated by a majority of over eleven thousand in the gubernatorial race, Seward seems to have resigned himself to the private practice of law. At least one would infer this from his several letters to Thurlow Weed written during this period, including one sent on December 28, which closed as follows:

I cannot yet say when I shall be able to leave Albany, but I am making my parting arrangements. I need not tell you that I have become more than ever attached to Uncle Cary, and that here we are inseparable. Mrs. Cary, with her genuine kindness, has proposed to meet him at Auburn. They have it so arranged that Wednesday of week after next, if there is sleighing, she will be with you. Mr. Cary will positively be there, and so will I. And so the part I have assumed among politicians has its inception, denouement, and finale.  

As his business in Auburn continued to expand, Seward seems to have taken pleasure in it. On March 15, he wrote to Weed:

You talk about building more political "cob-houses" with me. Pardon me, I have exhausted the entire interest of the game. No inducement would now prevail upon me to be re-instated in the Senate. I am happy in being out, with the consciousness that I got honorably out.

He often provided advice to local Whig partisans and took an interest in the presidential election of 1836. However, he showed himself an astute political prophet in this letter of April 12:

I have during the past week been speculating upon politics, and I will tell you my conclusions. It is utterly impossible, I am convinced, to defeat Van Buren. The people are for him.

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25 Ibid., p. 256.
Not so much for him as for the principle they suppose he represents. That principle is Democracy; and the best result of all our labors in the Whig cause has only been to excite them, while they have been more and more confirmed in their apprehension of the loss of their liberties by an imaginary instead of a real aristocracy. It is with them, the poor against the rich; and it is not to be disguised, that, since the last election, the array of parties has very strongly taken that character. Those who felt themselves or believed themselves poor, have fallen off very naturally from us and into the majority, whose success proved them to be the friends of the poor; while the rich we "have always with us." Our papers, without being conscious of it, have been gradually assuming their cause; not from choice, but by way of retaliation upon the victors.

It is unavailing to discuss candidates. We can support White or Harrison or anybody. We can give them all our votes. But we can give no one any more; and, what is the worst feature of all is, that this party of ours in its elements is such that it cannot succeed until there is a time of popular convulsion, when suffering shall make men feel, and because they feel, think! Without by any means admitting that in the present instance the popular will is vox dei, I believe and know it to be absolute. I make these observations because I am where you never are, in the country, among the people.26

Seward and his family took a summer tour in 1835, and the letters he wrote provide an interesting view of rural life of the time. Several of them are of value to us in that they report observations of slavery and show Seward's ever-increasing opposition to it. The tour included a visit to Andrew Jackson, whom Seward found to be very polite, but somewhat peremptory. Seward notes that "... as far as opinions were expressed, they were intelligent and perspicuous." His letter of July 3

26 Ibid., p. 258.
We have been convinced that we have been in no respect mistaken in our opinion of the President [here Mrs. Seward takes the pen and finishes the sentence and the letter]; we found him polite, fine, chivalrous, passionate, and petulant. 27

Meanwhile, social forces were changing American society. Abolition was growing in the North, accompanied by riots and excitation. The Postmaster General of the United States tried to suppress the mailing of abolitionist materials and President Jackson came out in favor of legislation to that effect.

Also in 1835 the Auburn and Owasco Canal Company was organized to build a lateral canal to connect Auburn with the Erie Canal, with Seward as one of the Board of Directors. He gave a dedicatory address for that canal on October 14, and when called upon for his toast at the dinner, he asserted: "The Union of these States. It must be preserved. Our prosperity began, and will end with it." 28

In 1836, the Whigs chose to nominate a number of favorite sons, hoping to throw the election into the House. The major nominee, however, was Harrison. Seward continued to express the private opinion that they could not defeat Van Buren. Debate raged heavily in the national legislature over "incendiary publications," "penal laws" against "agitators," and over the right of petition. It was a year of great prosperity,

27 Ibid., p. 279.
28 Ibid., p. 295.
commercial activity, and speculation. The Whigs of New York lost the state by nearly thirty thousand majority.

January 14, 1837 marked a period of personal tragedy to Seward in the loss of his infant daughter to smallpox. The same year brought financial tragedy to the nation in the panic which discredited the Van Buren regime—Jackson's bitter legacy to his successor. In the autumn, Seward, in an address to the Cayuga County Whig Convention, suggested that the time of "popular convulsion" of which he had written earlier was now upon the country. His opinion was borne out by the election of 1837, which saw Whig candidates winning an overwhelming majority in both houses of the New York legislature and in the local offices of that State.

Against this background there was much sentiment for the renomination of Seward for Governor in 1838. His reaction seems to be expressed candidly in this letter to his wife, dated December 3, 1837.

Your letter of the 29th has been two days with me. If it would afford you pleasure, I am sorry you do not see the Whig newspapers. The proceedings at Auburn and at Aurora contain compliments to me similar to those received at Batavia, Buffalo, Dunkirk, and some other places. These are varied, of course, in manner, but the purpose seems to be the same—that of expressing a partiality for my renomination next summer. I regard this as a matter altogether so uncertain, and of so little consequence to my happiness, that I do not dwell upon it myself enough even to recollect to send you the newspaper. It involves, as I have before hinted, a possibility of collision with Granger, which I would willingly avoid. It is in keeping with this that my correspondence swells, and the writers, of course, are seasonable, and not over-modest in their overtures. You would suppose, to look at my bundle of letters, that I have the entire patronage of the Assembly.29

29Ibid., p. 349.
As the months of 1838 moved on, Seward continued to be regarded as a desirable nominee for Governor. Seward seems to have had little stomach for fighting with friends, and so indicates in this letter.

I am already so wearied in it that, if left to myself, I should withdraw instantly and forever. I am ill-fitted for competition with brethren and friends, although I lack no zeal in opposition to a common enemy, or firmness in encountering "a sea of troubles."30

On September 12, the Whig Convention met at Utica. The first ballot showed Seward, 52; Granger, 39; Bradish, 29; Edwards, 4.

Granger's friends, including the President of the convention, made strong appeals in his behalf; and the second vote showed Seward, 60; Granger, 52; Bradish, 10; and Edwards, 3. The third ballot jumped to Granger, 60; Seward, 59; Bradish, 2; Edwards, 2; blank, 1. Seward's friends made extensive speeches and conversational appeals, centering on the fact that his legislative record and vigorous advocacy of internal improvement had made him popular with the masses and that he had, in 1834, polled the highest vote ever given for a Whig candidate in the state (one hundred sixty-nine thousand). Apparently, these efforts were successful. The fourth ballot gave Seward majority and the nomination was subsequently made unanimous. Running on a platform of financial reform and internal improvement, he won by over ten thousand votes. The man who had announced the denouement and finale of his political career in 1834, was now elevated to the highest political office of his state.

30Ibid., p. 366.
The years of Seward's governorship were interesting and busy; indeed, his state papers occupy Baker's entire second volume. Our purposes, however, are best served by noting only those events in the period most relevant to Seward's development as an orator.

**1839 to 1843**

Seward dedicated much time to the preparation of his first message as Governor, and on December 14, 1838, he wrote to Weed:

> I would like to go forthwith to Albany. But the truth is, it's no easy matter to find out all about the condition of the state and set it down in a book to satisfy this fastidious generation of Whigs. A message I must have and will have before I leave this town; for this reason, that if I let alone at Albany, I couldn't get my books, papers, and habits, fixed before the 1st of January; and as to being left alone, how could I shut myself up in a house that everybody has been engaged in preparing, and therefore knows every access to it and every hiding-place in it?31

The work which Seward dedicated to the preparation of that first message was well spent. Frederick Seward may be engaging in a bit of ancestor worship when he reports that: "Governor Seward's message of 1839, however, had a unity and coherence of plan on as grand a theme as that of one of Homer's epics." He is quite accurate, however, in asserting that: "Whoever studied it, if any did, might have predicted his future course on political questions, for it contained the groundwork of his political philosophy, and of the policy that guided him throughout his entire public career." The speech is extremely detailed, and

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31Ibid., p. 381.
advocates, among other things, the following:

... to prosecute the work on the canals; to encourage the completion of railroads; to establish a Board of Internal Improvements; to encourage and extend charitable institutions; to give more enlightened care to the reclamation of juvenile delinquents; to improve the discipline of the prisons, separating the male and female convicts; to elevate the standard of education in the schools and colleges; to establish school-district libraries; to provide for the education of the colored race, as well as the white; to reform the organization and practice of courts, so as to lessen delays of justice, especially in chancery; to cut off superfluous offices and unnecessary patronage, executive and judicial; to substitute fixed salaries for artfully multiplied fees; to abolish the army of inspectors "who hinder the agriculture and the commerce they profess to protect"; to repeal the "Small-bill Law," and no longer embarrass "the only currency which can be maintained, a mixed one of gold, silver, and redeemable paper;" to authorize banking under general laws instead of special charters; to apply rigorous safeguards, especially in populous cities for the purity of the ballot box. He unhesitatingly accepted Ruggle's estimate that the canals would more than reimburse the cost of their construction and enlargement, paid a tribute to Clinton's wise forecast in founding the system and recommended the erection of a monument to his memory.32

Seward's subsequent messages developed and made more explicit many of these proposals, and his recommendations were largely adopted during his term and those which followed. During his gubernatorial term Seward's relationship with Weed deepened and he also became acquainted with Horace Greeley. His relationship with Weed, and the later bitterness which developed between him and Greeley, were to contribute greatly to Seward's "unavailability" in 1860

32Ibid., p. 386; entire speech in Baker, Works, op. cit., pp. 183-211.
In the year 1839, much debate had been aroused by the adoption of the "Atherton gag" in the United States House of Representatives, prohibiting the discussion of petitions relevant to the abolition of slavery. During Seward's term, the New York Assembly adopted resolutions denouncing this rule as a violation of the constitutional rights of the people.

Seward's handling of extradition, his wise use of the pardoning power, and his overall executive abilities as Governor, led Lodge to remark:

He made an admirable governor, and in regard to all issues of the day, on internal improvements, education, prison reform, and other less important matters, he exhibited the breadth of view, the foresight, and the courage of opinion which were his most conspicuous qualities as a statesman. Seward was naturally prudent and cautious; he was always regarded as a keen and wary politician, and in his later career his enemiescharged that he was given to cunning and time-serving. Yet if any one now dispassionately studies his course as governor, the most marked characteristics of the man, and those which, if we take the pains to understand him were never, either then or afterwards, lost or impaired, were his entire courage and complete superiority to clamor and prejudice . . . . His course on various matters, deliberately adopted in opposition to the views of his more careful friends, caused him to fall several thousand votes behind the ticket when he was re-elected; but he neither heeded warnings when they were uttered, nor grieved over their subsequent fulfillment because he was satisfied that he was right.33

Seward attempted to remain aloof from the presidential nomination of 1842, preferring to be uncommitted in order that he could render wholehearted support to the candidate finally selected. One event, however,

33Lodge, op. cit., pp. 15-16.
which occurred during his term, served to give practical force to the anti-slavery position to which he had frequently verbally committed himself.

While a ship belonging to citizens of New York was undergoing repairs at a Virginia port, a Negro ship's carpenter hid himself as a stowaway. When the ship arrived in New York two Virginians re-captured the slave and requested that three sailors, who had allegedly urged the slave to run away, be extradited to Virginia for punishment. Seward refused to comply on the grounds that the alleged actions of the sailors would not be punishable under the laws of the state in which they were captured, namely New York. Ultimately, Virginia, Mississippi, and South Carolina passed resolutions opposing Seward's action and requiring inspection of all New York ships. In the meantime, the New York legislature of 1840 (still Whig) had endorsed the governor's action and had passed a law granting trial by jury to any person claimed as a fugitive slave. The Democratic legislature of 1842 was later to condemn Seward for his actions.

In response to Virginia's policy, Seward issued the following view which was to ring so clearly in his rhetoric of later years:

I could not, to save the commerce of the state, or even the peace of the country, subscribe to the faith prescribed to me. I cannot believe that a being of human substance, form, and image—endowed with the faculties, propensities, and passions common to our race, and having the same ultimate destiny, can, by the force of any human constitution or laws, be converted into a chattel or a thing, in which another being like himself can have property, depriving him of his free will, and of the power of cultivating his own mind and pursuing his own
happiness; a property beginning with his birth, and reaching over and enslaving his posterity. I cannot believe that that can be stolen which is not and cannot be property; and although such principles may be adopted and become the basis of institutions and laws in other countries, I cannot believe that any such community has the right to extend the operation of such institutions and laws so as to affect persons within the jurisdiction and under the protection of other nations.\(^{34}\)

In 1841, Seward also refused to surrender a fugitive slave to Georgia, on the grounds that the affidavits were inconclusive. In this connection we would be showing no disrespect to Seward to note that his predispositions would have required the Governor of Georgia to produce exceptionally conclusive affidavits, and that, even then, he would probably have refused on moral grounds.

These actions were quite significant in Seward's career.

Bancroft observes that:

By this action he had made himself a leader of the anti-slavery Whigs, and the whole party had been led to pass the law giving trial by jury to persons claimed as slaves. In the view of the abolitionists, his attitude was none-the-less praiseworthy, because some of his arguments were based more on sentiment than on a strict construction of the Constitution.\(^{35}\)

Seward was in a position to take practical action on slavery. This made his position more significant than that of those abolitionists who could merely attack it verbally. As Hoffer has observed, "A movement is pioneered by men of words, materialized by fanatics, and consolidated

\(^{34}\)Bancroft, \textit{op. cit.}, pp. 101-104.

\(^{35}\)\textit{Ibid.}, p. 105.
by men of action."³⁶ For a time, at least, Seward held the role of man of action in the anti-slavery controversy. The significance of his stand is indicated by Bancroft.

New York had now, for a time at least, become anti-slavery. It cared nothing for southern epithets or contempt, and was not to be frightened. What were incendiary pamphlets in comparison with this! How many seething speeches by Phillips, how many copies of the Liberator, how many resolutions by Birney, Steward, Smith, and Holley would equal in moral and political force, in actual power, Governor Seward's declaration: "I cannot believe that a being of human substance, form and image . . . can, by the force of any human constitution or laws, be converted into a chattel or a thing"?³⁷

We have noted previously that Seward ran behind the rest of his party in the election of 1840. It appeared to Bancroft that Seward had lost popularity with his party and gained it with the foreign-born citizens, but that the latter were not yet ready to risk a new party, which seemed unfriendly to them. Also:

Undoubtedly much of the difference between the support received by Harrison and that accorded to Seward was due to the fact that the Democrats were in power in national affairs, while the Whigs were responsible for the political conditions that prevailed in New York: disappointment, discontent, and lack of enthusiasm were serious handicaps. After 1840 the popularity of the Whigs continued to decrease. Circumstances made it impossible for them to master the financial difficulties. Harrison's death, a month after his inauguration, and the feud between Clay and Tyler, injured the party throughout the country; for, as Fillmore wrote a little later, it had "no cohesive principle—no common head." So the election of 1841 brought almost three times as many Democrats as Whigs

³⁶Hoffer, op. cit., p. 114.

³⁷Bancroft, op. cit., p. 105.
into the assembly and overthrew the Whig majority in the Senate.\textsuperscript{38}

Shortly after the election of 1841, Seward announced that he would not be a candidate for re-election. It is quite possible that he feared a disastrous defeat which might hurt his future career, but we find no direct evidence to warrant this conclusion. His letters indicate that he wished to have his principles tested separate from their propounder; that these principles offended many members of his party; and that he could only serve to divide the party if he were a candidate.\textsuperscript{39} To John Quincy Adams he wrote:

As for the future, I await its developments without concern, conscious that if my services are needed they will be demanded; and, if not needed, that it would be neither patriotic nor conducive to my happiness to be in public life.\textsuperscript{40}

Whatever his reason for withdrawing from the race, Seward's move proved to have been discreet. In the election of 1842 the Whigs lost the governorship, won only one senatorial position, and elected barely one-fourth of the assemblymen.\textsuperscript{41}

From the point of view of his party, Seward's governorship could hardly be termed a success, as it culminated in their disastrous defeat at the polls. We can hardly, however, blame Seward for this. The

\textsuperscript{38}Ibid., p. 127.

\textsuperscript{39}Ibid., p. 128.

\textsuperscript{40}Loc. cit.

\textsuperscript{41}Loc. cit.
financial situation which he inherited proved to be beyond his control—at least within his term of office. The same problems which had unseated the Democrats in New York in 1838 remained to unseat the Whigs in 1842 and to destroy Van Buren at the national level. One cannot help thinking that Jackson may have shown the same wisdom in following Washington's precedent and refusing to seek a third term that Seward showed in refusing to seek the nomination of 1842.

On the other hand, history supports the thesis that Seward was a good governor—at least his biographers, including the cautious Bancroft, so regard him. His policies served New York well in subsequent years, and he focused national attention on the great problem of slavery.

**Chapter Summary**

What can we say of William Seward at the end of "The Formative Years"? Doubtless he was a man of considerable intellect who had had considerable opportunity to develop his powers. Seward had enjoyed training in public speaking and debate as a high school and college student. He had known the practical experience of serving as state senator in a senate which practiced both legislative and judicial functions. Moreover, he had the responsibility of Governor of his state.

Along with his experience, Seward had developed his principles and policies. He had known slavery as a child, and had come to dislike it. This feeling had increased with his continued exposure to the institution, until he had taken practical action in refusing to
extradite fugitive slaves while serving as Governor. He had also
developed a great love for the Union and considerable enthusiasm for
internal improvements and for the rights of the foreign-born citizens.

Out of this political experience and environment came a mature
statesman. But this statesman was to take a temporary respite from
public life. It is in the role of citizen and lawyer that we shall ob­
serve Seward in the next chapter, "1843 to 1848: Return to Private
Life."
CHAPTER IV

1843 - 1848

RETURN TO PRIVATE LIFE

The years 1843 to 1848 in the life of William H. Seward seem much more deserving of a full chapter in the present study than does the period in which he was Governor of New York. This is true because the year 1846 is distinguished by one of Seward's finest forensic achievements in the Freeman trial and the year 1848 is marked by his great epideictic effort in the eulogy on John Quincy Adams.

In 1843, however, Seward was simply a man retiring from public office. His speaking had served him well, but he was, perhaps, better known for those things he had advocated than for his skill in rhetoric in advocating them. He returned to Auburn and reopened his law practice. His first case involved a broken fence and "breachy oxen," and a sum of perhaps five or ten dollars—a surprisingly small amount for a man who had left the governor's chair with a debt of over four hundred thousand dollars.

Debt seems to have been a way of life to Seward. It is claimed that he never lived extravagantly, but that he was hospitable and something of a soft touch. Out of office, he usually lived up to his
income—in office he always spent more than he made, determined that "the public should never put a dollar in his pocket."¹

Under the new governor many changes were made in New York. Bouck was slow to reduce internal improvements, but on slavery he held unequivocally to the party line. He maintained that "trial by Jury" for slaves, and other laws of this sort, had no place on the books, especially since the Supreme Court in Prigg vs. Pennsylvania, had held similar laws unconstitutional. There began to appear hints of a schism within the New York Democrats, which eventually was to erupt into open conflict.

Early in 1843, Seward was tendered his first presidential nomination. Writing of this to Weed on April 14, he stated:

Mr. N______ the other day, conscious that this is the season of Lent, and therefore similar to that in which the devil showed our Saviour all the kingdoms of the earth and offered them to him tendered me the Abolition nomination for President by letter, which I respectfully declined upon the ground, generally, that I have gone to the end of my ambition and sense of duty, not to speak of my obligations to that portion of the people to whom I am indebted for all honors.²

It is no disrespect to Seward to remark that he might have felt greater "obligation" to accept the nomination if he had not perceived the Abolition party as having no chance to win and as serving only to split the Whig vote.

¹Seward, Autobiography, op. cit., p. 651.
²Ibid., p. 656.
Also during 1843, Weed visited Europe. Seward's letters to him are interesting; and one, dated June 24, gives us some appreciation of Seward's insight into the nature of the popular audience.

Mr. Webster's speech at Bunker Hill is called and regarded as a great production; yet it is inferior to the mighty efforts he has heretofore made. It will, nevertheless, revive his personal popularity in New England. How strange that such a man should not know that generous appeals to the patriotism, national pride, and sympathies of the people, like this, and his former Bunker Hill speech, tell upon them with a thousand-fold greater effect than discussions of financial schemes and commercial treaties! These embarrass and enfeeble him. Those renew his strength, and rekindle the affection and gratitude of the country.3

This suggests quite strongly that Seward believed that appeals to the masses should strive to make use of the highest possible motives and should be somewhat general and abstract in their language and sentiments. We shall observe that he practiced this belief in his speaking.

While arguing a case in the Supreme Court at Albany, Seward was heard by one James Wilson, the owner of the patent right on a planing machine. Wilson was so impressed that he retained Seward to protect his patent. This led Seward to become involved in patent cases, a much more lucrative area of the law than his previous practice.

John Quincy Adams visited Auburn, and Seward gave a brief welcoming speech in his behalf on July 28. At breakfast the next morning the question of whether slavery would be peacefully and legally abolished in the near future was discussed. Adams commented

3 Ibid., p. 667.
prophetically: "I used to think so, but I do not now. I am satisfied that it will not go down until it goes down in blood."^4

As the year 1843 waned, the leading democratic candidates for the presidential nomination appeared to be Van Buren, Calhoun, and Buchanan. Seward declined the Abolition nomination several times, and was also nominated for President, Vice-President, and Governor by some of the New York county conventions. Finally, in a published letter, he declared:

I am not, and shall not be, a candidate for any office, State or national, in the canvass of 1844. Far from seeking further preferment, I have had enough already to call forth profound gratitude. That gratitude I expect to manifest by leaving the Whig party to bring forth its candidates without interference on my part, and by yielding to them my zealous and faithful support.5

Henry Clay was the leading Whig candidate, and Seward was under frequent attack for alleged disloyalty to the slaveholder. On February 22, 1844, in an address to the county convention at Auburn, Seward declared his support for Clay, and went on to speak very favorably of the career and accomplishments of the great senator. In the election of 1843, in which the New York democrats had secured a substantial majority in both houses of the legislature, one Whig failing had been the inability to unite splinter groups. The results had shown 177,000 Democratic votes, 156,000 Whig votes, 15,672 Abolitionist votes, and

^4Ibid., p. 672.

^5Ibid., p. 683.
8,712 Native American votes. Clay seemed doomed to face the same problem on the national level, particularly in regard to the growing Abolitionist party. Nevertheless, on May 1, Clay was chosen by the national convention by unanimous acclamation.

It seems reasonably likely that Seward could have had the Vice-Presidential nomination in this campaign. Such a choice would have been very useful to the Whigs in holding the anti-slavery element. No one can say for sure why Seward did not seek this nomination, but Frederick Seward and Bancroft have both commented on this. The former felt that:

For a year preceding the convention some of the political friends of Seward had been urging him to permit his name to be presented for the vice-presidential nomination. He had dis­countenanced all such efforts. There were various reasons for this. Perhaps the most potent was his disinclination to occupy any position which should seal his lips on the slavery question, the great issue of the future. Another was his unwillingness to reenter public life while personal affairs demanded his constant care. And the reason which he accepted as finally closing all doubt on the subject was the candidacy of Mr. Fillmore. Cer­tainly, it was not wise that New York should have two candidates for that honor, and fidelity to past relations required, as it seemed to him, that he should rather aid than hinder his political colleague. To this it was answered that he could obtain the nomination, while Fillmore would fail to do so. But this he declined to believe.6

Bancroft sees it this way:

There were several good reasons why Seward himself should not be a candidate for office in 1844. It was too soon to ex­pect that certain Whigs had forgotten some displeasing features of his administration. Above all, his pecuniary affairs still demanded his close attention. Besides, he did not feel confident

6 Ibid., p. 700.
of Whig success that year. The political firm of Seward, Weed, and Greeley favored the nomination of Millard Fillmore for the vice-presidency and Willis Hall for the governorship.\footnote{Bancroft, op. cit., p. 149.}

Seward seems to have been a very adroit political prophet who apparently was able to refrain from contests in which he would probably be defeated without hurting his popular image for subsequent efforts. Such a policy, however, required him to keep his name constantly before the people, even when he was not in office. A man who remains prominent over a long period of time, picking and choosing when and for what office he will run, is likely to make enemies. Moreover, his stand on every issue becomes so well known that he cannot masquerade in the cloak of anonymity and ambiguity. These problems may have had a good deal to do with Seward's failure to secure the presidential nomination in 1860.

It had become customary for the Whig party to prepare a \textit{resume} of legislative activity and publish this as a campaign document. In 1844 this task fell to Seward, and according to Bancroft, he produced the keenest and most severe of all his political writings up to that time. The fact that the Whigs were in an insignificant minority in the legislature enabled him to disclaim for them all responsibility for not having accomplished much; yet in a few cases, he said, they had awakened a sense of justice in some of the Democrats, who by joining with the Whigs, had been able "to thwart the destructive ends of their leaders." The Democrats were represented as disagreeing among themselves in following an imbecile policy, in stopping internal improvements, and in increasing taxation without benefiting the state. Seward's exposition of the
Democratic policy on internal improvements was legitimate partisan warfare; but to have stated the whole truth—that the present object of that policy, or lack of policy, was not internal improvements at all, but to restore state credit—would have turned the edge of his criticism. Likewise, in national politics, by repudiating Tyler he was able to cast upon the Democrats the full opprobrium for the attempt to acquire Texas and for the continued suppression of the right of petition.  

The Democrats were facing problems of party unity, not only in New York, but throughout the nation. To everyone's surprise, they nominated Polk as the candidate least likely to increase intra-party friction. The lines were clearly drawn in the election of 1844. The Democrats favored the annexation of Texas, and both the Whigs and the Abolitionists opposed it. The problem for the Whigs was that the third party preferred giving its votes to a third candidate, thus weakening Clay's opportunity to exploit the division of the democratic ranks.  

The Whigs turned to Seward as the logical man to hold the ranks of the abolitionists with the Whig candidate, but Clay rejected their support in his own speeches. Seward's speeches of the campaign were conciliatory, admitting that Clay was a slaveholder and certainly not in the vanguard of emancipation, and expressing regret at this fact. In essence, Seward tried to maintain that a vote for the Democrats was clearly a vote for slavery, a vote for the abolitionists was wasted, and a vote for the Whigs would serve, at least, to halt the growth of slavery.

8Ibid., p. 143.
In the election, Clay was defeated by a good majority. New York and the nation went democratic. The Liberty Party vote for Birney proved decisive—1,335,834 for Polk, 1,297,033 for Clay, 64,653 for Birney. One can only conjecture as to the results had the Whigs chosen a different candidate or had Clay come out more strongly in regard to slavery, but it would seem probable that a stand strong enough to obtain the nomination of the Abolitionists would have cost him many of the more moderate Whig votes. In any case, the Democrats were jubilant, the Abolitionists were pleased with their large showing, and only the Whigs were left despondent.

Among the speeches made by Seward in 1844, at least two deserve our mention. One of these was the commencement address at Union College. Seward's topic was "The True Greatness of Our Country," a favorite theme of his. We have drafts of this topic, in Seward's own hand, some exceeding eighty pages. It is mature oratory, well worthy of the reading, but it develops those same sentiments expressed with even greater force in his later and better known Senate speeches; therefore, it will occupy little space here.

Another speech demonstrates Seward's willingness to put principle above party line. This was his final speech of the 1844 campaign. Bancroft makes reference to this speech, saying:

At the conclusion of his last speech he towered like an Alp above the partisan discussions of the campaign: "I desire to say that as I have spoken here I have everywhere spoken—not as a mere apologist of the Whig party or of its leaders, but as an advocate of the interests of all partisans
and of all parties. I do not claim that I have been the organ of any party. I have spoken my own sentiments .... Let others hereafter do what they may. I shall stand on the same ground I now occupy, always demanding the abolition of slavery in America by political argument and suffrage, and by the constitutional action of all the public authorities. I trust to the instincts of the Whig party, that it will prove faithful to that cause; and when it shall prove false in any hour of trial it will be time enough to look elsewhere for a more effective agency." Who could be more grandly independent and yet so practically partisan?

And despite any attack, any lack of appreciation, any opprobrium heaped upon him, Seward remained loyal to that party, until, eleven years later, believing that it had proven false in an hour of trial, he spoke his great speech in behalf of a more effective agency on "The Advent of the Republican Party."

In December of 1844, Seward was injured in a fall from a stagecoach. Returning to his home, he spent two months in convalescence, which, coming immediately after six-months neglect of his personal affairs in the campaign, was a major blow to his fortunes. As soon as possible, he was back in the law office, although for a long time he was not able to tie his own cravat or shave himself because of his dislocated shoulder.

The year 1845 was marked by many notable events, including the early stages of the Mexican War. This confrontation between the United States and Mexico was an important aspect of the career of Seward because of its side effects. In the main, it served to make slavery much more

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9Ibid., p. 149.
unpopular in the North by calling attention to itself as "a slaveholders' war." It also led the Liberty Party to take stock of the fact that its votes, however impressive, had been unable to affect the outcome of events—therefore, the leading abolitionists became more willing to confer with such men as Seward and other anti-slavery leaders in major parties. The issue of slavery became more pronounced in religious dogma leading towards that inevitable time when it was to become a principle no longer susceptible to logical discussion.

As for Seward, he spent considerable time in 1845 on one of his frequent tours of the country and also assisted his aging father in the management of his affairs. Seward's law practice in Auburn continued to grow, particularly in the number of patent cases. Samuel Blatchford and Christopher Morgan were now partners in the firm. As 1845 closed, Seward found himself called to Washington to argue some cases before the Supreme Court.

In early 1846, during Seward's stay in Washington, the Oregon and Texas questions commanded the attention of Congress. Whigs were rapidly defecting from the defeated Clay, with Scott and Corwin being mentioned by the Congressmen for President and Vice-President, respectively. Seward felt differently, and wrote to Weed on January 6:

How bitter will this desertion be felt by Mr. Clay! And how strange that the friends who forsake him so prematurely do not see that he will grow stronger by their defection!10

The Wyatt and Freeman Trials

Seward returned to Auburn in February, and shortly after his arrival he received a message from a convict named Wyatt, who was currently incarcerated in the state prison. Accused of killing a fellow convict, Wyatt was without friends or money and was unable to secure counsel. Urgently he requested Seward's aid in his plight. After talking to Wyatt and determining that frequent beatings and morbid surroundings might well have affected his sanity, Seward agreed to help him. At his own expense Seward brought in scientific witnesses to examine the convict and testify in his behalf. The trial lasted eight days and ended in a hung jury. The jurors were then discharged, and Wyatt was remanded to prison to await another trial. This case was to become quite important as a fore-runner to the Freeman case.

Seward first heard of the Freeman murders through a newspaper account which he read while in Albany on the 14th of March. A twenty-two year old Negro named Freeman, recently discharged from the state prison had murdered, apparently without motive, a respected farmer named Van Nest and several members of the Van Nest family. He had been wounded in the struggle, captured some thirty miles away, and upon being taken back to face the survivors had not only admitted the crime, but had laughed in the faces of his captors and victims. Only by strenuous efforts had the sheriff been able to save him from a lynch mob and
Since Seward had recently conducted the Wyatt defense with some success, there was popular fear that he might attempt to intercede between Freeman and "just" retribution. After repeated pressure, Seward's law partners announced, in his absence, that he would not defend Freeman. Seward, upon returning to Auburn in May, found that popular sentiment over the Van Nest murders had also come to envelop Wyatt. The public, which had been willing to accept a hung jury and possible acquittal verdict in regard to the murder of a convict, was now demanding the conviction of both Wyatt and Freeman. He found also that he was under personal attack, many saying that Freeman had listened to Seward's defense of Wyatt and had undertaken his crime secure in the confidence that he could get free on the defense of insanity. A special session of court had been called to handle the cases of both Freeman and Wyatt. In a letter to Weed on May 29, Seward wrote

There is a busy war around me to drive me from defending and securing a fair trial for the negro Freeman. People now rejoice that they did not lynch him; but they have all things prepared for an auto-da-fe, with the solemnities of a mock trial. No priest (except one Universalist), no Levite, or lawyer, no man, no woman has visited him. He is deaf, deserted, ignorant, and his conduct is unexplainable on any principle of sanity. It is natural that he should turn to me to defend him. If he does, I shall do so. This will raise a storm of prejudice and passion, which will try the fortitude of my friends. But I shall do my

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11 The most detailed, if somewhat popularized, account is found in Earl Conrad, Mr. Seward for the Defense (New York: Rinehart and Company, 1956), passim.
duty. I care not whether I am to be ever forgiven for it or not.\textsuperscript{12}

On June 1, the prisoner was arraigned before the court. He made no plea to the indictment read to him. Seward then rose to plead insanity, and the people's counsel held that Freeman was sane. Sherwood further suggested that the court pass on the question by personal examination, but Seward insisted on a jury. The judge took the matter under advisement, and Seward was not forced to declare himself the counsel for the defense. Meanwhile, the trial of Wyatt came on.

Seward appealed to the court for a change of venue, or for a postponement until the passion over the Van Nest murders had died down. His request was denied. The attorney-general, John Van Buren, had been brought in to help with the people's case. The empaneling of a jury appeared impossible, until the court finally permitted jurors to be sworn in even though they confessed an opinion in regard to the prisoner's guilt. After the jury was finally obtained at the end of three weeks, Seward wrote a hasty note.

In this court I am fighting a battle in which I ask no sympathy or support.

The court will convict Wyatt, by breaking down rules established by the Supreme Court, and the conviction may ultimately be reversed. Freeman is a demented idiot, made so by blows which extinguished everything in his breast but a blind passion of revenge. He should be acquitted at once, and with the public consent.\textsuperscript{13}

\textsuperscript{12}Seward, \textit{Autobiography}, \textit{op. cit.}, p. 810.

\textsuperscript{13}\textit{Ibid.}, pp. 812-813.
Wyatt was convicted, and his execution was set for August 18. The court moved almost immediately into a trial on the question of Freeman's sanity, permitting no peremptory challenges of jurors. An impressive array of medical testimony was presented to establish Freeman's insanity, but the jury reached a verdict, not that the prisoner was "not insane" as prescribed by law, but that he was "sufficiently sane, in mind and memory, to distinguish between right and wrong."\(^{14}\)

On July 6, with the trial of the main question opening, Seward objected to the language of the jury's verdict and asked for a postponement or change of venue, but Judge Whiting ruled that there could be no questioning of the "sufficiently sane" verdict of the previous trial. Although, said the judge, it was not a verdict of sanity in the strictest form, he was satisfied that the prisoner must be tried, and that that was the intent of the jury. When the prisoner was brought in, the following dialogue took place:

District Attorney: "Do you plead guilty or not guilty to these indictments?"

Freeman: "Ha?"

D. A. (repeating the question)

Freeman: "I don't know."

D. A.: "Are you able to employ counsel?"

Freeman: "No."

\(^{14}\)Ibid., p. 814.
D.A.: "Are you ready for trial?"
Freeman: "I don't know."
D.A.: "Have you any counsel?"
Freeman: "I don't know."
D.A.: "Who are your counsel?"
Freeman: "I don't know."

The judge directed the clerk to enter a plea of "not guilty" for the prisoner, and asked: "Will any one defend this man?" David Wright, lawyer and philanthropist who had assisted in the trial of Wyatt and in the pre-trial of Freeman, rose and thundered that he could not consent any longer to "take part in a cause which has the appearance of a terrible farce." William H. Seward rose and said, "May it please the court, I shall remain counsel for the prisoner until his death."\(^{15}\)

Seward's decision to take this case showed rare courage in view of the circumstances surrounding the trial. There was no possibility of direct pecuniary reward for his efforts or little prospect of success in the trial itself. There was, on the other hand, the certainty of public scorn and abuse and scorn for Seward himself. His decision reflects two facets of his rhetoric which we consider to be outstanding: (1) although he was sometimes indecisive as to the best means for accomplishing his ends, he remained loyal to those principles in which he believed, and (2) he often directed his rhetoric, as we observed in

\(^{15}\text{Ibid.}, p. 815.\)
Chapter I, not to the immediate audience but to the secondary and sometimes even the future audience. In regard to this Frederick Seward comments:

He had no great respect for the vox populi, for he knew it to be a voice given to hasty utterances and frequent contradictions. Yet on the ultimate sound judgment of the people he always relied. His own speeches and acts, so far as they were shaped to gain popular approbation, sought to appeal to the calm impartiality of future years, rather than to the excited passions of the passing hour. When revising his speeches, he would say of some expression which he was warned would subject him to attack, "Well, I think that will stand."16

This concept of ultimate vindication is evident in many of Seward’s speeches, never more so than in the conclusion to his speech in the pre-trial of Freeman.

In due time, gentlemen of the jury, when I shall have paid the debt of Nature, my remaines will rest here in your midst, with those of my kindred and neighbors. It is very possible that they may be unhonored, neglected, spurned! But perhaps, years hence, when the passion and excitement which now agitate this community shall have passed away, some wandering stranger, some lone exile, some Indian, some negro, may erect over them an humble stone, and thereon [have inscribed] this epitaph, "He was faithful."17

Seward’s singular courage in this instance brought the approval of many of his biographers. Lodge, for example, had this to say:

With perfect courage, however, Seward conducted the case to the end, using every fair means of defense; but wholly in vain, for Freeman was in reality condemned before he was tried.

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16 Ibid., p. 703.

After the sentence Seward appealed to the governor, but pardon was refused. He then moved the Supreme Court for a new trial, which was granted; but before it came on Freeman died in jail, and the post-mortem revealed a brain diseased to the last point. Seward's action in taking this case showed not only humanity and generosity of the finest type, but courage of an uncommon quality. It was no light matter to face, alone and unsupported, the fierce prejudice and intense excitement of the community in which he lived in behalf of a low, brutalized criminal, belonging to a despised and hated race. There was no hope or prospect of reward of any kind. There was nothing before him at the moment as a result but universal hatred and condemnation; and he made this sacrifice solely from devotion to the principles of law and justice in which he had been bred.18

Lothrop expresses much the same sentiments:

He [Seward] bore with seeming composure the taunts and abuse of the prosecuting attorney, the ill manners and injustice of the court, and the gives and insults of the people. The arduous and painful professional duty he had undertaken was most faithfully discharged.19

Baker says the same thing, but waxes, perhaps, a bit too eloquent in his observations.

In vain family, personal and political friends, influential citizens, and members of the bar besought him not to interfere, and call down upon himself the indignation of the populace. In vain was he reminded of the long, weary, and expensive trial to which he had just devoted himself; to the neglect of professional engagements, and the peril of health—in vain was he forewarned of the still more tedious, costly, and exhausting nature of the present case, should he engage in it. A higher law and a louder voice called him to the defense of the demented, forsaken wretch, who stood insensible of the vengeful gaze of a thousand eyes, and he felt that he had no alternative . . . .

Still he did not falter, but sternly persevered in what he conscientiously believed to be the line of his duty, and was the

18 Lodge, op. cit., p. 22.
19 Lothrop, op. cit., p. 42.
only person engaged in these transactions, except his client, who was calm and unmoved.\textsuperscript{20}

It is Bancroft who had both the insight and the candidness to give Seward full credit for the courage of his act while at the same time recognizing that Seward probably felt he would ultimately profit from the action.

Much has been said and written about the moral courage displayed by Seward in taking the side of this friendless, idiotic negro. It was a picturesque and heroic incident, and exhibited Seward's sense of duty and his fearlessness of temporary passions, no less than his keen insight, which told him that there was an opportunity to do a brave, philanthropic act, which ultimately must rebound to his advantage, both professionally and politically.\textsuperscript{21}

While agreeing with Bancroft that Seward felt he would ultimately be vindicated and probably praised for his act, we are not so confident that he felt this would occur in his lifetime. Certainly he could not have predicted the rapidity with which his work in the trial actually would work to his advantage. Within a year, requests for copies of his speech came from all quarters. Salmon P. Chase, Wendell Phillips, and Samuel J. May, to name but a representative few, were giving him unstinted praise. Sumner declared that the defense of Freeman was "worth more for fame than the whole forensic life of Choate," and that he had heard Gladstone speak of that defense as the "finest forensic effort in

\textsuperscript{20}Baker, \emph{op. cit.}, I, pp. lxxiv-lxxv.

\textsuperscript{21}Bancroft, \emph{op. cit.}, p. 179.
the English language." Viewing these events in retrospect, Lothrop notes that:

Freeman's death, however, and the clear proof of his insanity, caused a revulsion of popular feeling; and in the end, and perhaps especially with those who had been loudest in their denunciations of him, his defense of Freeman brought him far more gain, than loss, of reputation.

Before considering Seward's speech in the Freeman trial, we should give some thought to the nature of his audience. From our previous analysis of the ante-bellum Americans, we know that both his immediate audience of Auburn citizens and his secondary audience in the North would have been highly materialistic, subject to whims and "isms" and highly favorable toward Governor Seward, as he was still popularly called. Also, under normal circumstances, they would have been in favor of abolition and sympathetic toward a Negro prisoner. They would have been favorable toward patriotic, romantic, and religious appeals. In a word, they would have constituted an emotional audience.

Certainly the immediate audience was emotional. Their emotion, however, was directed against Seward and his client. Incensed by the brutal massacre of a respected neighbor and his family, these jurors could have had little sympathy for the prisoner at the bench. Seward's decision to defend Freeman, coupled with the popular belief that Seward's defense of Wyatt had been partially responsible for Freeman's

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22 Ibid., pp. 179-180.
23 Lothrop, op. cit., p. 43.
crime had undoubtedly led to a marked dip in Seward's ethos with the immediate audience. Seward's letters of the time, and his speech itself, show a realization that "all the available means of proof" would not suffice to sway the jury. It seems reasonable to assume, then, that he was not speaking for an immediate triumph but for possible appeal and for an ultimate triumph with the larger popular audience. Against this background, Seward presented his concluding appeal in the Freeman case.24

He began by recognizing the justness of the commandment "Thou shalt not kill," and the corollary "Whoso sheddeth man's blood, by man shall his blood be shed." He went on to admit the horror of the crime which had been perpetrated.

In this case, if the prisoner be guilty of murder, I do not ask remission of punishment. If he be guilty, never was a murderer more guilty. He had murdered not only John G. Van Nest, but his hands are reeking with the blood of other, and numerous, and even more pitiable victims.

This is powerful rhetoric, when viewed against the background of the public attitude toward the crime. To have denied Freeman as the perpetrator, or to have belittled the crime itself would have been foolish. It would seem far better for Seward to identify with the feelings of his audience, and place himself immediately in the perspective from which he wished ultimately to be viewed in his efforts. This he tried to do.

24 The entire speech is found in Baker, Works, op. cit., I, pp. 411-475.
For William Freeman, as a murderer, I have no commission to speak. If he had silver and gold accumulated with the frugality of Croesus, and should pour it all at my feet, I would not stand an hour between him and the avenger. But for the innocent, it is my right, my duty to speak. If this sea of blood was innocently shed, then it is my duty to stand beside him until his steps lose their hold upon the scaffold.

There is no equivocation here, no doubt as to the nature of Seward's defense. Denying neither the crime nor its nature, indeed, making the murder appear even more heinous in his own speech, Seward moved immediately to the major issue of the case as he saw it—was Freeman guilty, or was he innocent by reason of insanity.

Seward then told the jury that the commandment was addressed not only to Freeman, but to all men—that to kill Freeman unjustly would be no less abhorrent than the crime of Freeman himself. He pointed out how, only a short time ago, many of those present desired to lynch Freeman, and how all were then rejoicing that they had not done so; and enjoined them that, if their verdict was prompted by any passion or pressure, rather than by the strict letter of the law, the guilt would be no less than it would have been in the lynching. Then Seward made an appeal emphasizing ethical proof, but including strong elements of emotional and pathetic proof.

I plead not for a murderer. I have no inducement, no motive to do so. I have addressed my fellow citizens in many various relations, when rewards of wealth and fame awaited me. I have been cheered on other occasions by manifestations of popular approbation and sympathy; and where there was no such encouragement, I have had at least the gratitude of him whose cause I defended. But I speak now in the hearing of a People who have prejudged the prisoner, and condemned me for pleading in his behalf. He is a convict, a pauper, a Negro, without
intellect, sense, or emotion. My child, with an affectionate smile, disarms my care-worn face of its frown whenever I cross my threshold. The beggar in the street obliges me to give, because he says "God bless you," as I pass. My dog caresses me with fondness if I will but smile on him. My horse recognizes me when I fill his manger. But what reward, what gratitude, what sympathy and affection can I expect here? There the prisoner sits. Look at him ... Gentlemen, you may think of this transaction what you please, bring in what verdict you can, but I asservate before Heaven and you, that, to the best of my knowledge and belief, the prisoner at the bar does not at this moment know why it is that my shadow falls on you instead of his own.

Seward wanted to be perceived as one with no hope of reward, and as the conscience of society. He felt that society was, indeed, on trial, and he so declared.

I speak with all sincerity and earnestness; not because I expect my opinion to have weight, but I would disarm the injurious impression that I am speaking, merely as a lawyer speaks for his client. I am not the prisoner's lawyer. I am indeed a volunteer in his behalf; but society and mankind have the deepest interests at stake. I am the lawyer for society, for mankind, shocked beyond the power of expression, at the scene I have witnessed here of trying a maniac as a malefactor.

For the immediate jury, or for society at large to decide for the defense and approve Seward's action, it would be necessary to disregard the "sufficiently sane" verdict rendered by the pre-trial jury. Seward was well aware of this, and he knew that he had to overcome the pressure of that precedent. Having done all he could do to establish his ethos, and having indicated the major issue in the case, Seward addressed himself to that problem.

He told the jury that they would have a difficult time rendering an impartial verdict. He showed them that they would be under pressure
from others and would be reminded of that verdict already rendered that
Freeman was "sufficiently sane." He maintained that the verdict of
the pre-trial jury was imperfectly rendered, and that the arguments and
evidence presented in the main trial proved to the contrary. In effect,
Seward was avowing his own courageous martyrdom and asking the jury to
join him. This would seem to conform to what we know of the audience.
It is always desirable to appeal to a man's higher nature. People like
to be able to rationalize their behavior in terms of high and altruistic
motives. Seward was offering the jury this chance, and at the same time
picturing himself in that light for the secondary audience.

The prosecution had argued that Freeman should be expected to
show less intelligence than a white man, since he was of mixed Negro
and Indian blood. This gave Seward the opportunity to appeal to the
strong abolitionist sentiments of his audience, and to introduce the
religious concepts so popular in this era of "Protestantism."

In spite of human pride, he is still your brother, and mine,
in form and color accepted and approved by his Father, and
yours, and mine, and bears equally with us the proudest inheri-
tance of our race—the image of our Maker. Hold him then to be
a Man. Exact of him all the responsibilities which should be
exacted under like circumstances if he belonged to the Anglo-
Saxon race, and make for him all the allowances, and deal with
him with all the tenderness which, under like circumstances,
you would expect for yourselves.

And again, Seward expressed the nature of his defense in the
clearest possible terms.
The prisoner was obliged—no, his counsel were obliged, by law, to accept the plea of Not Guilty, which the court directed to be entered in his behalf. That plea denies the homicide. If the law had allowed it, we would gladly have admitted all the murders of which the prisoner was accused, and have admitted them to be as unprovoked as they were cruel, and have gone directly before you on the only defense upon which we have insisted, or shall insist, or could insist—that he is irresponsible, because he was and is insane.

Seward was clearly trying to relieve himself of any stigma and the jury of any guilt feelings which it might have had in declaring the prisoner not guilty when he was clearly the perpetrator of the murders. At the same time, he seemed to be pleading here, not merely for Freeman, but for the passage of more realistic criminal codes dealing with insanity. Following the same line of reasoning, Seward admitted that this plea is always suspect because of the great possibility of abuse, but maintained that in most cases of abuse the prisoner was one of wealth and influence. He expressed the belief that

... you have never seen a poor, worthless, spiritless, degraded negro like this, acquitted wrongfully. I wish this trial may prove that such a one may be acquitted rightfully. The danger lies here. There is not a WHITE man or WHITE woman who would not have been dismissed long since from the perils of prosecution, if it had only been proved that the offender was so ignorant and so brutalized as not to understand that the defense of insanity had been interposed.

Seward was clearly trying to raise the issue above that of the single case at hand, and interject the over-riding issue of discrimination. This plea might be expected to be useful with both the immediate and secondary audience, as well as in obtaining a rehearing of the case.
He went on to challenge the prosecution and the jury to find any evidence that the defense was feigning insanity or that anyone had had any opportunity to teach the defendant to feign the symptoms, remembering that "Shakespeare and Cervantes only, of all mankind, have conceived and perfected a counterfeit of insanity." With this statement Seward concluded his introduction.

In this initial phase of his speech Seward had clearly eunuciated his defense. He had admitted the crime and the horror of the crime. He had made it clear that insanity was the only defense of his client. He had worked hard to build his ethos with both the immediate and secondary audience by casting himself in the role of a martyr with nothing to gain. And he had charged his jury with the noble task of ignoring public pressure and passion, and judging this prisoner as they would judge one of their own race. Now he was ready for a summary of the merits of the case.

He began by quoting legal precedent, i.e., the case of Kleim, tried for murder in 1844, before Judge Edmonds, of the first circuit, in the city of New York, as reported in the Journal of Insanity for January, 1846, page 261, as follows:

He told the Jury that there was no doubt that Kleim had been guilty of the killing imputed to him, and that under circumstances of atrocity and deliberation which were calculated to excite in their minds strong feelings of indignation against him. But they must beware how they permitted such feelings to influence their judgment. They must bear in mind that the object of punishment was not vengeance, but reformation; not to extort from a man an atonement for the life which he cannot give, but by the terror of the example, to deter
others from like offenses, and that nothing was so likely to
destroy the public confidence in the administration of
criminal justice, as the infliction of its pains upon whom
Heaven has already affected with the awful malady of insanity.

Seward proceeded to read from the report the judge's comment
that more people were unjustly convicted when insane, than were unjustly
freed when not insane; that insanity was hard to identify; that the
opinions of those who have dedicated themselves to its study should be
given great weight, while those of ordinary physicians carry no more
weight than the opinions of common people; that one must consider the
whole life pattern of the individual in question. He noted that Kleim
was acquitted and sent to the Lunatic asylum at Utica.

Seward's choice of "extrinsic" proof is impressive here. The
parallels between his precedent and the Freeman case are unmistakable.
But Seward also reminds the jury of the differences: Judge Edmonds is
not sitting here; Kleim was white, Freeman Negro; Kleim killed an ob­
scure woman and child, Freeman a rich and powerful family; Kleim was
tried in huge and unconcerned New York, Freeman in a small and panicked
community. Again, he was asking the jury to rise above the situation,
creating a rationale for the secondary audience in case he lost the
trial, and laying grounds for appeal of the case.

Seward tried to allay any fear the jury might have of releasing
Freeman to kill again. He reminded them that the prisoner would still
have to face trial for three additional murders, and, even if acquitted
on all four counts, he would be sent to an asylum. Seward then moved
to a direct refutation of the People's analysis of insanity.

The people had argued that to be insane a man must be unable to count to twenty, unable to recognize his mother and father, and show no traces of the several "faculties" of the human mind. Dr. Spencer, a faculty psychologist, had found in Freeman such faculties as memory of his wrongs and sufferings, hunger to be appeased, thirst to be quenched, choice between bread and animal food, love of combat, imperfect knowledge of money, anger and malice. Seward's analysis of this evidence showed what we consider a much more "modern" concept of insanity and also made use of imagery and visualization in such a way as to generate a passage of considerable pathos.

Doth not the idiot eat? Doth not the idiot drink? Doth not the idiot know his father and mother? He does all this because he is a man. Doth he not smile and weep? Do you think he smiles and weeps for nothing? He smiles and weeps because he is moved by human joys and sorrows, and exercises his reason, however imperfectly. Hath not the idiot anger, rage, revenge? Take from him his food, and he will stamp his feet and throw his chains in your face. Do you think he doth this for nothing? He does it all because he is a man, and because, however imperfectly, he exercises his reason. The lunatic does all this, and, if not quite demented, all things else that man, in the highest pride of intellect, does or can do. He only does them in a different way. You may pass laws for his government. Will he conform? Can he conform? What cares he for your laws? He will not even plead; he cannot plead his disease in defense. You must interpose the plea for him, and if you allow it, he, when redeemed from his mental bondage, will plead for you when he shall return to your Judge and his. If you deny his plea, he goes all the sooner, freed from imperfection, and with energies restored, into the presence of that Judge. You must meet him there, and then, no longer bewildered, stricken and dumb, he will have become as perfect, clear and bright, as those who reviled him in his degradation, and triumphed in his ruin.
Such a plea might be regarded as slightly melodramatic by modern legal standards, but this was 1846, the era of Protestantism and Romanticism. Seward was adapting to his audience well. He went on to give his own definition of insanity, at least in this case—"a derangement of the mind, character, and conduct, resulting from bodily disease." Although we now know that such "derangement" does not necessarily spring from organic disorder, Seward's concept was much more forward-looking than that of many contemporaries.

For the phenomenon of insanity, Seward felt that there were two tests—"First, to compare the individual after the supposed derangement with himself as he was before. Second, to compare his course with those ordinary lines of human life which we expect sane persons, of equal intelligence, and similarly situated, to pursue." With this as the criteria, the arguments of the people as to Freeman's sanity Seward maintained to be without substance.

Seward again raised the question of whether the prisoner was feigning insanity. He refuted the idea this time by using the prosecution's own witnesses. All of them, while maintaining that Freeman was sane enough to stand trial, had placed him on the intelligence level of a mere child. How could one conceive of such a creature feigning anything that would delude even the average man, asked Seward. Would he admit everything, claim no ignorance, no forgetfulness, no confusion? Seward turned to precedents of men who had tried to feign insanity. He had introduced the symptoms of one of these men during cross-examination
in the trial, describing the case and asking Dr. Spencer if he would have considered this man insane. Spencer had declared the symptoms to be evidence of insanity. But this impostor, one Jean Pierre, had been discovered by a team of physicians in 1824. Thus Seward was attempting to impugn the testimony of Spencer while, at the same time, demonstrating the difficulty of successfully feigning insanity to such a panel of experts as those who had testified that Freeman was insane. For his evidence dealing with attempts to feign insanity, he relied on one Dr. Ray in his Treatise on the Medical Jurisprudence of Insanity.

Did the criteria of insanity given by Seward show evidence of it in the case of Freeman? Seward began with the question of whether the prisoner had changed. He cited the extensive testimony of those who knew and observed the man before and after his confinement in prison. Seward argued that the change took place in prison; therefore, it could not, as the Attorney General had alleged, have been due to intemperance. It must, therefore, have been attributable to insanity. Seward developed to great extent those factors which might have led to the insanity, listing heredity, lack of education, oppression, and imprisonment itself. He then referred to the very actions and testimony of the prisoner as proof of his present insanity.

Seward next attempted to develop the motive under which Freeman was laboring when he killed the Van Nest family. He traced the details of Freeman's previous imprisonment for horse stealing, a crime which had actually been committed by one Jack Furman, who later turned the
horse over to Freeman, thus making him an accomplice after the fact. Convinced of his innocence, the youth had been morose and was repeatedly punished in prison. Upon his release, he labored under one idea—that he had worked five years unjustly for the state, and someone ought to pay him for it. He went to the home of Mrs. Godfrey who had owned the horse, and was appeased with a morsel of cake. He went to several offices, including Seward's, saying that he wanted a warrant for "a man who put me to state prison." With no reason, except operating under an apparent compulsion, he chose the Van Nest family for his revenge.

Seward turned to Ray's Medical Jurisprudence to cite the tests of a homicidal maniac. He referred to eleven, the first of which will serve as an example.

I. "There is the irresistible motiveless impulse to destroy life." Never was homicide more completely irresistible, than in the present case, as we have learned from the testimony already cited.

In like manner, Seward listed each of the other tests, referring to the evidence of the trial to show how the criteria fit Freeman. This constituted powerful logical support for his claims. Seward showed extensive research and understanding of the medical writings current at the time. His speech seems as strong in logical proof as it is in emotional and ethical proof.

As final proof of the prisoner's insanity, Seward referred to the opinions of those experts who had testified. First he attempted to discredit the testimony introduced by the People, taking each witness
in turn and discrediting a few for bias, but most for inadequate contact with the prisoner. Some he discredited through the evidence of cross-examination, as in the case of Spencer whom we have already mentioned, and one Dr. Gilmore, to whom Seward had read several cases of persons in Bedlam, each of whom Gilmore had pronounced as a sane criminal.

Turning to the defense witnesses, Seward divided them into the unlearned opinions and the medical opinions. He tried to show that the unlearned witnesses knew the prisoner better than similar witnesses introduced by the prosecution and that the medical witnesses of the defense were better qualified than those of the prosecution and had gone to greater lengths to examine the prisoner. It would appear that he succeeded on both counts, and that no unbiased jury could have ever come to a verdict of guilty.

Having introduced all of the logical proof he could muster to demonstrate Freeman's insanity, Seward turned to visible proof, and in so doing reminded the jury of some of the testimony while also generating a passage of strong pathetic proof, bearing some similarity to Antony's appeal to the "poor, poor dumb mouths"--the cuts in Caesar's body.

There is proof, gentlemen, stronger than all this. It is silent, yet speaking. It is that idiotic smile which plays continually on the face of the maniac. It took its seat there while he was in the State Prison. In his solitary cell, under the pressure of his severe tasks and trials in the work-shop, and during the solemnities of public worship in the chapel, it
appealed, although in vain, to his task-masters and his teachers. It is a smile, never rising into laughter, without motive or cause—the smile of vacuity. His mother saw it when he came out of prison, and it broke her heart. John Depuy saw it and knew his brother was demented. Deborah Depuy observed it and knew him for a fool. David Winner read in it the ruin of his friend, Sally's son. It has never forsaken him in his later trials. He laughed in the face of Parker, while on confession at Baldwinsville. He laughed involuntarily in the faces of Warden and Curtis, and Warden and Austin, and Bigelow and Smith, and Brigham and Spencer. He laughs perpetually here. Even when Van Arsdale showed the scarred traces of the assassin's knife, and when Helen Holmes related the dreadful story of the murder of her patrons and friends, he laughed. He laughs while I am pleading his griefs. He laughs when the Attorney General's bolts would seem to rive his heart. He will laugh when you declare him guilty. When the Judge shall proceed the last fatal ceremony, and demand what he has to say why the sentence of the law should not be pronounced upon him, although there should not be an unmoistened eye in this vast assembly, and the stern voice addressing him should tremble with emotion, he will even then lock up in the face of the court and laugh, from the irresistible emotions of a shattered mind, delighted and lost in the confused memory of absurd and ridiculous associations. Follow him to the scaffold. The executioner cannot disturb the calmness of the idiot. He will laugh in the agony of death.

Moving toward his conclusion, Seward defended some of his witnesses against the attacks levied by the prosecution. He also commented on the charge that his defense of Wyatt had given Freeman incentive to commit his crime.

The learned gentlemen who conduct this prosecution have attempted to show that the prisoner attended the trial of Henry Wyatt, whom I defended against an indictment for murder in this court, in February last; that he listened to me on that occasion, in regard to the impunity of crime, and that he went out a ripe and complete scholar. So far as these reflections affect me alone, they are unworthy of an answer. I pleaded for Wyatt then, as it was my right and duty to do. Let the Counsel for the people prove the words I spake before they charge me with Freeman's crimes. I am not unwilling that any words I ever spoke in any responsible relation should be remembered. Since they will not recall those
words, I will do so for them. They were words like those I speak now, demanding cautious and impartial justice; words appealing to the reason, to the consciences, to the humanity of my fellow men; words calculated to make mankind know and love each other better, and adopt the benign principles of Christianity, instead of the long cherished maxim of retaliation and revenge.

Also, in regard to this question, we get one of Seward's observations on his delivery. He notes that his voice is so weak that it seems unlikely that many of those in the back of the room can hear him, and certainly the nearly deaf Freeman, who supposedly sat in the back of the room could have never heard the plea. Even if he could have heard, he certainly could not have understood the intricacies of that case when it was so evident that he did not understand the present proceedings.

Concluding his arguments, Seward returned to ethical and pathetic appeals similar to those used in his introduction.

You have now the fate of this lunatic in your hands. To him as to me, so far as we can judge, it is comparatively indifferent what be the issue . . . For aught that we can judge, the prisoner is unconscious of danger and would be insensitive to suffering, let it come when and in whatever forms it might. A verdict can only hasten by a few months or years, the time when his bruised, diseased, wandering and be-nighted spirit shall return to Him who sent it forth on its sad and dreary pilgrimage . . .

Seward saw few present who would take the prisoner's side or weep at his fate, but

On the other side, I notice the aged and venerable parents of Van Nest and his surviving children, and all around are the mourning and sympathizing friends. I know not at whose instance they have come. I dare not say they ought not to be here. But
I must say to you that we live in a Christian and not in a savage state, and that the affliction which has fallen upon these mourners and us, was sent to teach them and us mercy and not retaliation; that, although we may send this maniac to the scaffold, it will not recall to life the manly form of Van Nest, nor re-animate the exhausted frame of that aged matron, nor restore to life and grace, and beauty, the murdered mother, nor call back the infant boy from the arms of his Savior. Such a verdict can do no good to the living, and carry no joy to the dead. If your judgment shall be swayed at all by sympathies you will find the saddest hour of your life to be that in which you will look down upon the grave of your victims, and "mourn with compunctious sorrow" that you should have done so great injustice to the "poor handful of earth that will be moldering before you."

I have been long and tedious. I remember that it is the harvest month, and that every hour is precious while you are detained from your yellow fields. But if you shall have bestowed patient attention throughout this deeply interesting investigation, and shall in the end have discharged your duties in the fear of God and in the love of truth justly and independently, you will have laid up a store of blessed recollections for all your future days, imperishable and inexhaustible.

The historians, whose favorable impression of Seward's motives in taking the Freeman case has already been recorded, were also pleased with his rhetoric in the trial. Lothrop, calling the closing argument "exhaustive and convincing," pointed out that the "insanity of Freeman was proved beyond a doubt."25 Bancroft, expressing a similar favorable view, observed:

Of course, the most important argument in Freeman's behalf was made by Seward. He marshalled the evidence in such a manner as to convince any reader of his argument that his negro client was insane. It was also plain that Seward was master of the whole subject, and had the knowledge of human imagination, the

25Lothrop, op. cit., p. 42.
command of sentiment, and the literary art that would have been very effective with sober-minded hearers.26

Lodge concurs with this judgment when he says:

Not content, moreover, with doing his simply duty as counsel, he appealed to the jury in a speech of impassioned fervor and consummate ability. There are very few jury speeches which can be ranked above it, and that this statement is not an exaggeration is proved by the opinion of the greatest of modern English orators [Gladstone].27

Independent of the historians, how might we evaluate Seward's rhetoric in this case? It would seem, first, that we must assign only the highest motives to him in taking the case. We have previously noted his concern with the underprivileged, the insane, and prison reform which became evident when he was Governor, and all of this probably provided his motivation. The prospects for immediate personal reward in this case appeared to be nil; the prospects for censure and indignation, as we have seen on the other hand, appeared great. Even if we accept the assumption that he was more farsighted than his advisers, and could foresee that the trial would ultimately work to his advantage (a tenuous assumption at best), Seward certainly could not predict that the ultimate reward would come in the near future, or would be commensurate with the expense. Clearly, his defense of Freeman was a commendable defense of principle.

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26 Bancroft, op. cit., p. 176.

27 Lodge, op. cit., p. 22.
Seward was fully aware of the near futility of winning the case itself. From this awareness, from his letters, from the speech in the pre-trial, and from his biographers, we must assume that his speech was primarily designed for a greater and more permanent audience. As such, it was addressed to the nation as a whole, and to future generations. A failure in securing the immediate verdict, the rhetorical effort must be judged a success in terms of its ultimate objectives, for the case was granted a re-hearing, and Seward's speech was greeted very favorably throughout the country within a year.

Seward's use of logical proof was strong. He interspersed the testimony effectively in his concluding speech. He selected and utilized legal precedents and other "extrinsic" evidence in such an effective manner as to make them appear almost as if they had been written in reference to the Freeman case. And he successfully discredited the witnesses of the prosecution while defending his own.

Although his attempts at ethical proof would have been of questionable effect on the immediate audience, incensed as it was at his conduct, he effectively cast himself in the light of a martyr, who, with no hope of personal gain, was performing only by reason of the highest possible motives. He created an image, therefore, of a lawyer of society, trying to prevent it from making a horrible mistake. It is reasonable to assume that he actually perceived himself in that light, and not without some justification.
He used the religious and pseudo-religious emotionalism of the day to build strong pathetic proofs. He missed no opportunity to picture Freeman as a friendless, ignorant, brutalized, nearly deaf, and idiotic member of a minority race. He invited the jury to join with him in rising above the passion of the moment and risking martyrdom to do what they must know to be right. His choice of language was good, and he projected the plight of the prisoner with telling imagery.

From this we can conclude that Seward's invention was strong. He sought out the available proofs, both extrinsic and intrinsic. He was able to arrange the proofs in a similarly effective manner. Beginning with conciliation, and identification which gave rise to strong ethical and pathetic proof, he moved into a tightly constructed logical defense and refutation, stating each issue, dividing it where he felt necessary, and building his case around the divisions; then he concluded with additional use of ethical and pathetic proof, including the visible evidence of his client.

Seward's style, although a bit florid by modern standards, seems well suited to the occasion and to the audience of the 1840's, for one can hardly build emotional proofs relying on the ultimate retribution of a "higher court" in commonplace language. Seward's delivery never satisfied him, as we have seen in Chapter II and as he indicated in the Freeman speech itself. We can see, however, from our observations on his use of the other canons of rhetoric, how he attempted to compensate for this short-coming. Lodge summarizes this well, observing that
Seward compensated for weakness of voice by

... a remarkable power of strong, lucid, and ingenious statement and great variety in presentation. He was never dull, and yet at the same time he had a reason and moderation in expression which rendered all he said convincing, and made him especially valuable to an unpopular cause which needed converts.28

In 1846, Seward was fore-doomed to fail in winning as converts to an unpopular cause those juries which sat in judgment of Wyatt and Freeman. But within a short time his appeal in the Freeman case was making converts throughout the nation and world. Certainly history has vindicated the position which he took in regard to moral insanity. Noted historians and contemporaries, as we have seen, attest to his plea in the Freeman case as one of the great jury pleas of all time. Considering the circumstances of the case, our analysis of the effort leads us to concur.

Other Events of 1846-1847

The Freeman case was but one of the important events taking place in New York and the nation in 1846 and 1847. In 1846, the Whigs elected John Young as Governor of New York and also carried a majority of the legislature. New York also adopted a new constitution, incorporating many of the principles for which Seward had stood. The property requirement for Negro enfranchisement, however, remained in effect.

28Ibid., p. 34.
Seward's law practice, somewhat to his surprise, continued to grow after the Freeman case, and, as previously noted, his speech in that case began to be in demand. His advice was occasionally requested by members of the Whig party, but he remained relatively aloof from the public life which had so heavily occupied him for years.

In 1847, the Mexican war moved ahead with repeated military successes, and the name of Zachary Taylor grew in fame as the lands occupied by American forces increased in expanse. Once again the question of slavery was raised: would slavery be extended into the territories which it seemed probable would be acquired by conquest? The war, despite its successes, remained unpopular with large segments of the population, and the Polk administration waned in favor. The "Wilmot Proviso," prohibiting slavery in the acquired territories, was moved as an amendment to the "Three Million Bill," which was intended to appropriate three million dollars for the negotiation of a peace with Mexico. The proviso was defeated by narrow margins in the House and Senate.

Meanwhile, Seward and Salmon P. Chase made their pleas before the Supreme Court in the Ohio Slave Case involving John Van Zandt. This case is worthy of note as an example of Seward's mature attitude on slavery. In 1842, nine slaves attempted to escape into Canada. Crossing the Ohio River, these wretches encountered Van Zandt, who was returning from Cincinnati. He put them aboard his wagon and headed for Lebanon. The group was intercepted by a band of slave-catchers, and only one slave escaped.
Suit was brought against Van Zandt by the owner of the one escaped slave, and the jury awarded $1,200 in damages plus $500 in punitive damages under the Fugitive Slave Law of 1793. Some of Van Zandt's friends took up a collection, and the decision was appealed to the Supreme Court. When the money proved inadequate, Seward and Chase bore the expense themselves. Seward argued that the law of 1793 was in conflict with the Ordinance of 1787 under which Ohio was organized, and that the law of 1793, so far as it affected the questions before the court was unconstitutional and void. As to fugitive slave laws in general, he pronounced a doctrine similar to that which he was to make famous in his "Higher Law" speech of 1850. "There is luxury in affording succor, help, and comfort to the needy and oppressed; and we are commanded to do so by divine laws, paramount to all human authority."

Also in 1847 Freeman passed away in his cell, and the post-mortem revealed the horribly damaged brain to which we have previously alluded. When Daniel O'Connell, the "Liberator" of Ireland died, Seward, who had expressed sympathy with the Irish independences movement, was asked to present a eulogy, which he did on September 22. In that same month, the convention of New York Democrats split into two rival groups, with the "Old Hunkers" adhering to the old Democratic concepts on slavery, and the "Barn-Burners" pledging uncompromising hostility to the extension of slavery. This move pointed toward a possible Whig

victory in the coming elections. Again there was talk of the nomination of Clay for President, but the big news continued to be the war and the big name continued to be Taylor.

The Adams Eulogy

During February of 1848 the newspapers were filled with conflicting political reports and guesses. Among these were that Taylor was to be President because General Scott had persecuted him; that Scott was to be President because Polk had persecuted him; and that neither was to be President because both were for Clay. The same papers carried a call for the Whig National Convention and the news of a treaty of peace with Mexico. And over all came news of a national loss that was also a deep personal loss to Seward—the death of John Quincy Adams, who had passed away on the evening of the 23rd. Seward, at that time, was engaged in the Court of Chancery at Albany. He moved to adjourn, prefacing the motion with a brief but feeling eulogy. Early in March the new legislature passed a resolution calling for a formal eulogy on Mr. Adams to be presented to a joint session of both houses. Seward was invited to deliver the eulogy, which was to be given on April 3.30

Seward began the eulogy by referring to the great issues being debated at the time. He alluded to the Mexican War. Although he failed

30 The eulogy may be found in Baker, Works, op. cit., III, pp. 76-103.
to take a clear position on the conflict, he raised a series of rhetorical questions, including: "Will these conquests extend her [freedom's] domain, or will they be usurped by ever-grasping slavery"?

Suddenly the debate over these momentous issues was stilled.

What means, then, this abrupt and fearful silence? What unlooked for calamity has quelled the debates of the senate and calmed the excitement of the people? An old man, whose tongue once indeed was eloquent, but now through age, had well nigh lost its cunning, has fallen into the swoon of death. He had not been an actor in the drama of conquest—nor had his feeble voice yet mingled in the lofty argument—

"A gray-haired sire, whose eye intense was on the visioned future bent."

And now he has dreamed out at last the troubled dream of life. Sighs of unavailing grief ascend to heaven. Panegyric, fluent in long-stifled praise, performs its office. The army and the navy pay conventional honors, with the pomp of national woe, and then the hearse moves onward. It rests appropriately on its way in the hall where independence was proclaimed, and again under the dome where freedom was born. At length the tomb of John Adams opens to receive a son, who also, born a subject of a kind, had stood as a representative of his emancipated country, before principalities and powers, and had won by merit and worn without reproach the honors of the republic.

In the next few sentences it became evident that the eulogy was to have strong political overtones. Seward remarked that such eulogistic occasions regenerate the virtues and renew the constitutions of nations, and that never was such a renewal and regeneration needed as now, "... when we seem to be passing from the safe old policy of peace and moderation into a career of conquest and martial renown."
How should we react to Seward's inclusion of such political observations into this speech of eulogy and tribute? Certainly, eulogies have frequently been the vehicles for political comments. And the particular situation lends itself well to such remarks. Seward was speaking to a political body, the majority of whom would have been prone to support those principles which Seward and Adams held in common. It seems unlikely that Adams would have objected to having his death used as an opportunity for the utterance of those principles. The contemporary enemies of those principles, however, did not take kindly to their inclusion. According to Frederick Seward:

The legislature passed a vote of thanks, and the press spread the eulogy before their readers. It was, as a whole, cordially received and approved. But critics were not lacking to find fault; especially with the passages in regard to slavery and Freedom. "It was in bad taste," those fault finders said, and "worse politics," to thrust "abolition talk" into a funeral speech. For this the orator was condemned and the oration pronounced to be one, which, though not without literary merit, was marred by its "abolitionism." However, the same commentaries sagely remarked, "it was an ephemeral production, that would soon be forgotten, with the short-lived fanaticism of which it was one of the products."31

It would seem that, at best, any decision as to the propriety of the inclusion of political sentiments in the oration would have to be a value judgment, and that judgment would undoubtedly be influenced more by whether one agreed or disagreed with the sentiments themselves than by whether one considered them appropriate on the particular occasion.

31 Seward, 1846-1861, op. cit., p. 66.
Seward went on to note that Adams' life had opened no new ideas on virtue, for those ideas are well known—it simply exemplified those ideas, for it was a life of virtue, courage, assiduity, and modesty, combined with native talent and genius. The orator talked of Adams' birthplace, parentage, childhood, and early life. He then divided the creation of the United States into five great acts—colonization, preparation, revolution, organization, and consolidation.

According to Seward, consolidation took place from 1789 to 1829, and during that time John Quincy Adams was continually active, and ultimately became the principal actor. Seward detailed this period, speaking of the highly experimental nature of the American system, and of the critical failure of other nations which successfully carried out revolutions but failed to succeed in consolidation. He alluded specifically to the French Revolution. He spoke at length of the war between Britain and France and of Adams' role as representative to the Hague and to Berlin in those troubled years. He spoke of Adams' election to the senate in 1842, and of how, when Jefferson sought to embargo the combatants and Massachusetts rebelled, John Quincy Adams resigned rather than go against what he saw as the best interests of his country.

Seward extolled the prowess of Adams in gaining the help of Alexander as mediator and in negotiating the treaty of peace with Great Britain after the War of 1812. He noted that the presidential administrations of Monroe and John Quincy Adams blended so intricately that no
clear dividing line can be drawn between them. Seward quoted Adams on the importance of subjugating party faction to the national interest, and claimed that Adams was able to do this and become "really the chief magistrate," who "submitted neither his reason nor his conscience to the control of any partisan cabal." Seward proceeded to list examples of Adams' conduct to support his claim.

He also dwelt at some length on the major steps in international relations which took place under the guide of Monroe and Adams, laying considerable stress on the Monroe Doctrine. He told how, under Adams' administration, the nations of America met at Panama, and he quoted Adams' pronouncement emphasizing the rights of all these nations to be free and independent, regardless of the wishes of the Holy League of Europe. Then Seward said:

Contrast, fellow-citizens, this declaration of John Quincy Adams, president of the United States in 1825, with the proclamation of neutrality between the belligerents of Europe, made by Washington in 1793, with the querulous complaints of your ministers against the French directory and the British ministry, at the close of the last century, and with the acts of embargo and non-intercourse at the beginning of the present century, destroying our own commerce to conquer forbearance from the intolerant European powers. Learn from this contrast, the epoch of the consolidation of the republic. Thus instructed, do honor to the statesman and magistrate by whom, not forgetting the mead of his illustrious comppeers, the colonial system was overthrown throughout Spanish-America, and the independence of the United States was completely and finally consummated.

Seward turned from his comments on the international policies of Adams to a consideration of Adams' policy on internal improvements. He compared Adams as a president to DeWitt Clinton as a governor. Then
Seward brought more politics into the eulogy, in an observation obviously directed at the South.

The disastrous career of many of the states, and the absolute inaction of others, since the responsibilities of internal improvement have been cast off by the federal authorities, and devolved upon the states, without other sources of revenue than direct taxation, and with no other motives to stimulate them than their own local interests, are a fitting commentary on the error of that departure from the policy of John Quincy Adams.

Seward noted that with the end of the administration of Adams he had done more than enough for his country. But his career was not to end there, for, in 1831, he was elected to the House of Representatives. It is in this section that Seward developed strong attacks on slavery, telling how Adams was elected as one of the few strong enough to stand against the slavery power. He told how Adams continually submitted petitions to the House, and went on doing so even after the adoption of the "Gag Rule." Seward maintained that it was largely through the example of Adams that other men with like ideals were elected to the House, culminating in the repeal of that rule in 1845. He then said:

How long emancipation may be delayed is among the things concealed from our knowledge, but not so the certain result. The perils of the enterprise are already passed (not one of Seward's more astute observations)—its difficulties have already been removed—when it shall have been accomplished it will be justly regarded as the last noble effort which rendered the republic imperishable.

Then the merit of the great achievement will be awarded to John Quincy Adams; and by none more gratefully than by the communities on whom the institution of slavery has brought the calamity of premature and consumptive decline, in the midst of free, vigorous, and expanding states.
It is not difficult to see why Seward was attacked for including this material in the oration. This is nothing more nor less than a subtle statement of the "Irrepressible Conflict" doctrine which he was to pronounce in 1858. But if he were guilty of incorporating such arguments, one must grant him that he was faithfully depicting the beliefs and actions of Adams. Moreover, in accepting these beliefs as his own he was free from hypocrisy.

Up to this point the oration was characterized by good logical arrangement. It also featured a clear and lucid style, and showed much thought and understanding of the forces which had shaped the American nation. But, as can be observed from the quotations cited, there had been few passages of ethical and pathetic eloquence—little of the "grand" or vivid style typical of epideictic oratory. Seward was now ready to turn to such style. He suggested that John Quincy Adams deduced the duties of citizenship and of the republic from the address of the Continental Congress to the people of the United States, on the occasion of the successful close of the American Revolution. He quoted a paragraph from that address, and then said:

Senators and representatives of the people of the state of New York: I had turned my steps away from your honored halls, long since, as I thought, for ever. I come back to them by your command, to fulfill a higher duty, and more honorable service than ever before devolved upon me. I repay your generous confidence, by offering to you this exposition of the duties of the magistrate and of the citizen. It is the same which John Quincy Adams gave to the Congress of the United States, in his oration on the death of James Madison. It is the key to his own exalted character, and it enables us to measure the benefits he conferred upon his country. If, then, you ask, what motive enabled him to rise above parties, sects, combinations, prejudices, passions, and seductions, I answer, that he served his country, not alone,
or chiefly because that country was his own, but because he knew her duties, and her destiny, and knew her cause was the cause of human nature.

If you inquire why he was so rigorous in virtue as to be often thought austere, I answer, it was because human nature required the exercise of justice, honor, and gratitude, by all who were clothed with authority to act in the name of the American people. If you ask why he seemed, sometimes, with apparent inconsistency, to lend his charities to the distant and the future rather than to his own kindred and times, I reply, it was because he held that the tenure of human power is on condition of its being beneficently exercised for the common welfare of the human race. Such men are of no country. They belong to mankind. If we cannot rise to this height of virtue, we cannot hope to comprehend the character of John Quincy Adams, or understand the homage paid by the American people to his memory.

Seward suggested that Adams had taken Cicero as his model, but that the New Englander had far surpassed the Roman in moral courage and service. Seward then summarized the life and sketched the death scene of Adams with considerable pathetic power.

The distinguished characteristics of his life were beneficent labor, and personal contentment. He never sought wealth, but devoted himself to the service of mankind. Yet by the practice of frugality and method, he secured the enjoyment of dealing forth continually no stinted charities, and died in affluence. He never solicited place or preferment, and had no partisan combinations or even connections; yet he received honors which eluded the covetous grasp of those who formed parties, rewarded friends, and prescribed enemies; and he filled a longer period of varied and distinguished service than ever fell to the lot of any other citizen. In every state of this progress he was content. He was content to be president, minister, representative, or citizen.

Stricken in the midst of this service, in the very act of rising to debate, he fell into the arms of conscript fathers of the republic. A long lethargy supervened and oppressed his senses. Nature rallied the wasting powers, on the verge of the grave, for a very brief period. But it was long enough for him. The rekindled eye showed that the recollected mind was clear, calm, and
vigorous. His weeping family, and his sorrowing compeers were there. He surveyed the scene, and knew at once its fatal import. He had left no duty unperformed; he had no wish unsatisfied; no ambition unattained; no regret, no sorrow, no fear, no remorse. He could not shake off the dews of death that gathered on his brow. He could not pierce the thick shades that rose up before him. But he knew that eternity lay close by the shores of time. He knew that his Redeemer lived. Eloquence, even in that hour, inspired him with his ancient sublimity of utterance. "This," said the dying man, "This is the last of earth," He paused for a moment, and then added, "I am content." Angels might well have drawn aside the curtains of the skies to look down on such a scene—a scene that approximated even to that scene of unapproachable sublimity, not to be recalled without reverence, when in mortal agony. One who spake as never man spake, said, "It is finished."

This is strong epideictic rhetoric with great pathetic appeal made stronger by the relatively unimpassioned discourse which had preceded it. Seward could well have ended the discourse on this high point, but he was not through—he had a parallel to draw. In a few sentences he traced the parallels between the lives of Adams and Napoleon emphasizing the one great contrast—Napoleon was never content for he constantly sought new and greater conquests, and at last

The crown fell from his presumptuous head. The wife who had wedded him in his pride forsook him when the hour of fear came upon him. His child was ravished from his sight. His kinsmen were degraded to their first estate, and he was no longer emperor, nor consul, nor general, nor even a citizen, but an exile and a prisoner, on a lonely island, in the midst of the wild Atlantic. Discontent attended him there. The wayward man fretted out a few long years of his yet unbroken manhood, looking off at the earliest dawn and in evening's latest twilight, toward that distant world that had only just eluded his grasp. His heart corroded. Death came, not unlooked for, though it came even then unwelcome. He was stretched on his bed within the fort which constituted his prison. A few fast and faithful friends stood around, with the guards, who rejoiced that the hour of relief from long and wearisome watching was at hand. As his strength wasted away, delirium stirred up the brain from its long and
Inglorious inactivity. The pageant of ambition returned. He was again a lieutenant, a general, a consul, an emperor of France. He filled again the throne of Charlemagne. His kindred pressed around him again reinvested with the pompous pageantry of royalty. The daughter of the long line of kings again stood proudly by his side, and the sunny face of his child shone out from beneath the diadem that encircled its flowing locks. The marshals of the empire awaited his command. The legions of the old guard were in the field, their scarred faces rejuvenated, and their ranks, thinned in many battles, replenished. Russia, Prussia, Austria, Denmark, and England, gathered their mighty hosts to give him battle. Once more he mounted his impatient charger, and rushed forth to conquest. He waved his sword aloft and cried "Tete d'armee!" The feverish vision broke—the mockery was ended. The silver cord was loosed, and the warrior fell back upon his bed a lifeless corpse. This was the last of earth. The Corsican was not content.

Statesman and citizens! The contrast suggests its own impressive moral.

For the most part, this eulogy does not approach the Freeman speech in his use of ethical and pathetic appeal. Epideictic oratory is hard to compare to forensic oratory in its use of logical appeal, except in regard to the invention and arrangement thereof. In this eulogy, as in the Freeman speech, Seward's research and preparation is painstakingly thorough. His arrangement of proofs is clear and predictable, using, of course, chronological organization in the eulogy and both chronological and topical in the Freeman speech. Both speeches begin and end with ethical and pathetic material, and the conclusion of the eulogy certainly rivals the Freeman speech in this regard.

We have already referred to the controversial nature of contemporary reactions to this eulogy. It is Baker who passes historical judgment on the oration.
It was one of the most faithful and eloquent of the numerous discourses which were prepared on that great national bereavement. Its closing sentences, instituting a comparison between the death scenes of Napoleon and Adams, are scarcely surpassed in pathetic eloquence by any modern production.32

Seward went on to write The Life of John Quincy Adams, a biography which he published in 1849.

National Events of 1848

The Democratic convention of 1848 nominated General Cass for President and William O. Butler for Vice-President. The Whig convention met on June 7 in Philadelphia and found large groups of support for Clay, Webster, and General Scott. However, none could command a majority. General Taylor became the candidate of availability, even though he was a no-party man and a slaveholder. A northern Whig was needed to console the anti-slavery faction, and Fillmore became the man. The Whig platform declined to declare in favor of the Wilmot Proviso. The Free Soil party entered the scene, nominated ex-President Van Buren and Charles Francis Adams, and declared for "Free Soil! Free Speech! Free Labor! and Free Men!"

Seward found himself, as might be expected, called to the stump. Once again it was hoped that he could rally the anti-slavery Whigs behind the slaveholding candidate and the non-committed Whig party. In one speech in New York, where the failure of Webster and Clay to be

32Baker, Life, op. cit., p. 91.
nominated was deeply felt, Seward pronounced these sentiments that might well have been said of him twelve years later:

Clay and Webster have been put aside. It was either necessary that they should have been left out or it was not. In either case I regret it, and do not stop to argue where the truth in that respect lies. It is a question that comes up now, too late. Statesmen and patriots must be content to do what is practical—what can be done. Besides, when was it otherwise? Was Aristides, was Cato, was Cicero, more fortunate? Is it not by popular injustice that greatness is burnished? What is the Presidency of the United States compared with the fame of patriot-statesman, who triumphs over popular injustice and establishes his country on the sure foundations of freedom and empire?  

On October 26, Seward gave an address at Cleveland which is well worthy of our consideration. Frederick Seward pronounced this speech "the most concise epitome of his views."  

Bancroft called it "his most important speech prior to 1850."  

Lodge described the speech as "most eloquent and effective."  

And Baker says that: "Among the numerous speeches made during the canvass of 1848, the "Cleveland Speech" has been justly regarded as the most able and the most eloquent."  

The split in the New York Democratic party was almost certain to give rise to an overwhelming Whig victory in that state; therefore Seward's speaking there was somewhat superfluous. But in other states,

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33Seward, 1846-1861, op. cit., p. 82.
34Ibid., p. 85.
35Bancroft, op. cit., p. 164.
especially such border states as Ohio, the issue was greatly in doubt. The Western Reserve area was notably anti-slavery, and the danger there was that the voters would vote for the Free-Soil candidates, thus giving the election to the Democrats.

It must have been frustrating for Seward, in election after election, to receive the thankless job of trying to gain the anti-slavery vote for a party which refused to come out strongly on the issue and which nominated candidates of availability even though their attitudes did not correspond to the supposed principles of the party. One cannot help but believe that Seward was sincere in his anti-slavery sentiments, and that he believed the Whig party to be a better vehicle for expressing these sentiments than the Democratic. But how many times he must have been tempted to cast his lot with the Abolition, Liberty, or Free Soil parties, where he could have advocated his principles and probably have been nominated for any office he wished. But always the practical politician kept these temptations in check—always Seward stood with the major party, in the realization that the splinter parties could influence, but not win on the national level. Then, finally, came a national party, the Republican, which incorporated his principles into its platform; but this party rejected him, after adopting his ideas, because he was deemed too immoderate on those principles.

There was, however, no need for moderation in the Cleveland speech of 1848—the need here was to convince the voters of the Western Reserve that the Whig party was "radical" enough on the question of
slavery, and in this task had no help from the presidential candidate or the party platform. He was fully cognizant of this in beginning his speech.\footnote{The speech is found in Baker, \textit{Works}, \textit{op. cit.}, pp. 291-302.}

Seward began with an attempt to establish ethos, saying:

The urgency of the invitations which have brought me here has overcome at least the presumptuousness which seems to be implied in my going from my native state to debate political questions before a people from whose eloquent orators and honorable statesmen it has been my pride to imbibe enthusiasm and receive instruction.

After some additional introductory material, he observed:

I am to converse with Whigs only, and not with all Whigs, but with some who propose to secede temporarily if not permanently from the association whose labors, privations, defeats, and triumphs they have hitherto shared with perseverance and fidelity. I shall speak not for a man, not for men, not even for a party, but for the common cause which thus far has held us together, and which the seceders promise to advance more effectually by separation. To such I may say, perhaps, without presumption—

"Hear me for my cause, and be silent, that you may hear; believe me for mine honor, and have respect unto mine honor that you may the better judge."

I shall ask you to consider, first the principles and policy which the interest of our country and of humanity demand; secondly, how we can most effectually render those principles and that policy triumphant.

In this introduction, Seward had identified with the audience by complementing them upon the statesmen produced in the area and describing the common bond which united them. Party loyalty can be a
powerful motive, and we have noted in Chapter II how it served to band
people of diverse beliefs together until late in the ante-bellum period.
Also, Seward had focused in on the issue and presented a brief and con-
cise initial summary.

In his transition, Seward commented on the uniqueness of the
American culture and its largely foreign-born population.

The disasters and privations of the Old World cause this
flood of immigration to continue with daily-increasing volume,
and our settlements on the Pacific will soon become the gate
for a similar flow from the worn-out civilization of Asia.
Our twenty millions are expanding to two hundred millions—our
originally narrow domain into a great empire. Its destiny is
to renovate the condition of mankind.

Here we have an example of Seward's use of "nationalism" as a
persuasive appeal. We also find his version of the manifest destiny
doctrine—a doctrine which guided him in his purchase of Alaska as Secre-
tary of State. Seward proceeded to develop six principles in the speech.
The first was to preserve the integrity of the Union. The second was
preservation and perfection of democracy which Seward felt was founded
in the natural equality of all men. The third was the diffusion of
knowledge. The fourth was the development of natural resources. A
fifth was that peace and moderation are indispensable to the preservation
of republican institutions. Sixth, slavery had to be abolished. In ex-
plaining these principles, Seward continued to seek identification with
the citizens of Ohio.
I think these are the principles of the Whigs of the Western Reserve of Ohio. I am not now to say for the first time that they are mine . . . .

Whigs of the Western Reserve! We have maintained and promulgated these principles thus far together, through the agency, sometimes voluntary and sometimes reluctant, of the Whig party of the United States. Some of you propose now to abandon that mode and adopt another. What is wisdom and duty for you, must be wisdom and duty for me. I have considered your reasons, and they are unsatisfactory.

Aware that he was in an excellent speaking situation on this occasion, Seward took full advantage of it. His anti-slavery sentiments were well-known, and his willingness to remain with the party in spite of those sentiments could not help but establish high ethos for his position. He achieved early identification with his audience, and outlined the ideas with which he felt they could all agree in true conciliatory manner. He was once again using the technique he had used in the Freeman case—placing himself on a lofty plane and challenging his audience to come up to his level.

Seward next inserted a paragraph in which he objected to the abandonment of affiliations of a philosophical basis. Admitting that abandonment may sometimes be necessary, he argued, however, that it should only take place under the gravest circumstances. After thus extolling the virtues of fidelity and perseverance, he developed his philosophy on a third party.

You expect to establish a new and better party, that will carry our common principles to more speedy and universal triumph. You will not succeed, in any degree, neither now nor hereafter, because it is impossible. Society is divided, classified already. It is classified into great, all-pervading, national parties or associations. These parties are founded on
the principles, interests and affections of the people. Society cannot admit nor will it sustain a third party, nor will it surrender either of the existing parties to make room for a third. The interests, the sentiments, and the habits of society forbid:—

"The stars in their courses war against Sisera."

It is in the power of a seceding portion of one party, or of seceding portions of both, to do just this and no more, to wit: to give success, long or short, to one of the existing parties. Those who do this, whatever be their objects or motives, are responsible for the consequences. Theirs is the merit if the consequences are beneficent, and theirs is the blame if the result is calamitous. If all the Whigs shall be true, the Whig party will prevail in this election; seceding Whigs can only give success to the party of Lewis Cass.

In developing this argument Seward was on solid logical ground, for history had shown that only in those circumstances of social upheaval when a party goes completely into demise and is replaced by another can the new party do more than throw the election one way or another. The people of America were not, in 1848, ready to vote for the Free Soil party. It could only weaken the other parties, and particularly the Whigs, since the Democratic party could count on losing relatively fewer members to a strong anti-slavery party. If Seward's audience would accept this, it only behooved him to demonstrate that a Whig victory would do more to further their cause than a Democratic triumph.

In attempting to show that a Whig victory was preferable, Seward pronounced a rudimentary form of his "irrepressible Conflict" doctrine. He said that "there are two antagonistical elements of society in America, freedom and slavery." He then engaged in an extended contrast
of the two. Freedom harmonized with the American system, slavery was in conflict with it; freedom demanded emancipation and elevation of labor, slavery demanded a soil moistened with tears and blood; the party of slavery regarded disunion as among the means of defense, the party of freedom saw the Union as its highest duty; the party of slavery upheld an aristocracy, the party of freedom upheld equality; the party of slavery cherished ignorance, the party of freedom cherished knowledge; and slavery opposed tariff protection and internal improvements while liberty supported them.

Although there was much truth in what Seward said, he may have had little basis for categorizing the Whigs as the party of freedom. While the anti-slavery supporters of the Whig party certainly outnumbered the ones of the Democratic party, we have already noted the reluctance of the Whigs to take a clear stand. It was this failure which was ultimately to lead Seward, himself, into the ranks of a new party. Still, he was probably justified in regarding the Whigs as the least pro-slavery of the two parties.

Seward next addressed himself to that central issue of whether there was really a party difference, and he did so in an effective, conciliatory, and ethos-building manner, as seen in the following paragraph which admits that the Whig party might be most realistically classified as the lesser of two evils:

And now I am not to contend that the evil spirit I have described has possessed the one party without mitigation or exception, and that the beneficent one has on all occasions,
and fully, directed the action of the other. But I appeal to you, to your candor and justice, whether the beneficent spirit has not worked chiefly in the Whig party, and its antagonist in the adverse party.

What could the answer of his audience be—the response of these men who had been and were members of the Whig party? Convinced that it could only be yes, Seward went on to help them bolster that answer. He spoke of Webster and Clay, of John Quincy Adams and DeWitt Clinton; he spoke of internal improvement and education, of nullification and compromise, of war and peace; always putting the Whig party in a favorable light when contrasted with their Democratic opponents. He then sought identification with his audience once again.

In all things in which the Whig convention and party have differed from you, I have differed from them. I may, therefore, excuse them, without apologizing for myself.

Next he described five major objections which the dissident Whigs held. The first of these was that Taylor was a slaveholder. Regretting this fact, Seward looked forward to a day when all citizens would regard slavery to be as "odious as you and I do." But he reminded them of other celebrated slaveholders, including Washington, Jefferson, and Clay. He also indicated that it was the party which must be elected, not Taylor as a person. He suggested that Taylor's slaveholding would not prevent the party from curtailing the extension of slavery.

The second objection was the lack of a clear Whig manifesto. Seward stated that the Whigs had opposed the annexation of Texas and the Mexican War, and that they placed the Ordinance of 1787 in the charters of Oregon, New Mexico, and California. With these precedents
established, he felt that a specific manifesto was not essential.

The third objection was that Taylor had taken no definite personal stand. Seward went back to the position that this was unimportant, for the Whig party did not intend to surrender the total control of the land to the chief executive, and the party would prevent the extension of slavery.

Fourthly, the dissidents regarded Taylor as a warrior in his camp. Seward emphasized that civilians have proven as willing to betray the nation as generals.

Then Seward said:

Fifthly; from these arguments you infer that the Whig party have fallen away from their ancient faith. I admit its comparative unsoundness. I confess it, but it is still the truest and most faithful of the two parties, and one of them must prevail. The unsoundness of both arises from the fault of the country and of the age. Neither was ever more sound and faithful than it is now: it is your duty and mine to make them both more faithful.

Seward then outlined how this might be done, proposing, in essence, that the people remain faithful and that they work to change the attitude of others in order that a party could run on principles of total freedom and have those principles adopted by the nation. He said:

Do all this and inculcate all this in the spirit of moderation and benevolence, and not of retaliation and fanaticism, and you will soon bring the parties of the country into an effective aggression upon slavery. Whenever the public mind shall will the abolition of slavery, the way will open for it.

I know that you will tell me that this is all too slow. Well, then, go faster if you can, and I will go with you; but remember the instructive lesson that was taught in the words, "These things ought ye to have done, and not to have left the others undone." Remember that the liberty party tried the unattainable, overlooking the attainable, and now has compromised and surrendered the
principle of immediate emancipation for a coalition to effect a practicable measure which can only be defeated by that coalition. Remember that no human work is done without preparation. God works out his sublimest purposes among men with preparation. There was a voice of one crying in the wilderness, "Prepare ye the way," before the Son of man could come. There was a John before a Jesus; there was a baptism of water before the baptism of the Holy Ghost and of fire.

There is much in this speech to show that Seward was far above the blind partisanship so characteristic of the demagogue. It seems evident that he was sincere in advocating what to him seemed the best of two undesirable courses of action. His unique position gave him a frustrating, but effective vantage-point from which to speak. The speech shows Seward's strong arrangement and style, but it brings his ethical and logical proof to the foreground. He could not deny the objections which the dissident anti-slavery faction of the party had brought to bear. He was too intelligent to attempt to deny them. Instead, he identified as strongly as possible with his audience, asking them to assume the same position he had taken—that, in spite of the weaknesses of the Whig party, it was better and more faithful than the Democratic party, and that a vote for the third party would lead to the triumph of the Democrats.

Seward did not totally ignore pathetic proof in this speech. Throughout the oration he extolled the virtues of fidelity and perseverance and appealed to the nationalism of his audience. He outlined broad philosophic objectives which would have appeal to the higher motives of men, and maintained that the Whig party was committed more firmly to these principles than were the Democrats. And he coupled all this
with sound advice as to the future course of action for those who oppose slavery, and with the admonition to make haste slowly.

It is difficult to ascertain the effect that any one speech or speaker had on any given campaign. At any rate, the election of 1848 was a Whig victory, prompting Bancroft to note that:

The election of Taylor and Fillmore was a great triumph for Weed and Seward, as every one knew that no other two persons had done so much to bring about the Whig victory. 39

This victory closed Seward's "Return to Private Life," for the New York legislature was shortly to elect him to the United States Senate. During these years we have observed Seward as a private citizen and practicing attorney. We have seen him at the heights of his legal career in the Freeman and Van Zandt cases, and have found him a competent, and, indeed, eloquent epideictic speaker in his eulogy on John Quincy Adams. And we have seen him as a very effective stump speaker in the campaign of 1848, particularly in his Cleveland speech.

In sum, the rhetoric viewed thus far reveals that the outstanding feature of Seward's speaking appears to be his invention. His forte is his ability to assemble available proofs and to research and understand the background of his position. He also seems very perceptive in understanding the characteristics of his audience, and shows skill in identifying with the audience, particularly in the Cleveland speech.

39 Bancroft, op. cit., p. 169.
Seward arranges his arguments with clarity and force, usually beginning and ending his speeches with ethical and pathetic passages, stating the issue or issues early, and building the body of his speech around the issues or their subdivisions. His style is clear, and while it would be somewhat florid by modern standards, it seems appropriate to the period in which he spoke.

Although his delivery was weak, he compensated for it through his effective use of style, arrangement and invention. Apparently he was able to inject earnestness into his presentation, as we shall find frequently mentioned in regard to his Senate speeches. And he was capable of rising to pathetic heights, as in the opening and closing of the Freeman speech and in the conclusion of the Adams eulogy.

Throughout his "Return to Private Life" Seward remained constant in his devotion to the Union and to the principles of internal improvement and eventual emancipation. Beginning in 1849, we shall see "Seward as United States Senator," in a position to advocate his principles before the national deliberative body.
CHAPTER V

1849 - 1855

SEWARD AS UNITED STATES SENATOR

The year 1849 was the beginning of that decade in which the free and the slave states reached an impasse from which they could not emerge by diplomatic means. The Senate, for years dominated by the slave power, now contained a number of strong anti-slavery Senators, not the least of whom were William H. Seward of New York and Salmon P. Chase of Ohio, the two men who had been associated in the Van Zandt trial, and who were to become by 1860, according to Woodrow Wilson, "... unquestionably the leading men of the Republican party" and "... the most prominent candidates for the presidential nomination."¹

It is evident from Seward's letters upon his arrival in Washington that he was sought out by Taylor as an adviser. Seward expressed some dissatisfaction that the Cabinet was already formed before his arrival, but his letters indicate general satisfaction with the initial steps taken by Taylor. Seward felt that the general was patriotic and sensible, but that he was "uninformed about men" and lacked

"political sagacity." After examining Taylor's inaugural speech at
the President's request, Seward wrote a letter to Weed on March 3, 1849.
His comments remind us of his belief that speeches for the masses should
deal in general and philosophic comments. Seward wrote: "I read the
Inaugural last night. It is well enough. The people want short speeches
and generalities." ²

Seward observed the last meetings of the expiring United States
Congress. The big issue was the admission of California and Mexico,
with the slavery-dominated Senate seeking to extend the "peculiar insti-
tution" into these new territories and the House attempting to adhere
to the principles of the Wilmot Proviso which we mentioned earlier. A
last minute conference committee failed to resolve this dispute, and it
was bound over to the new Congress, of which Seward was to be a member.

The Senate which convened in 1849 was a memorable one. All of
the great spokesmen of the ante-bellum period were together in that body
for the first time. The immortal triumvirate of Webster, Clay and
Calhoun; John Bell, Jefferson Davis, Steven Douglas, Tom Corwin, John
Davis, John P. Hale, General Cass, Pierre Soule and Sam Houston were
among those who were to answer that roll call. Probably such a group
of statesman-orators had not been convened in the United States since
the days of the Constitutional Convention—probably such a group has
never been assembled since. And it was in this august body that Seward

rose to make his maiden speech, advocating the acceptance of the appointment of Judge Collamer, who had been tagged an "abolition Whig," to the office of Postmaster-General. The appointment was confirmed and Seward embarked upon his new career with a victory, albeit a minor one. It was one of the few he was to realize in the coming years as Senator. Frederick Seward says of this speech that

He argued in behalf of Collamer's confirmation without disguise of his own anti-slavery sympathies, but temperately and with such convincing proofs of the "nationality" and "patriotism" of the nominee, that the objections were withdrawn or overruled, and the nomination was confirmed.\(^3\)

Eager aspirants for federal office were pressing both Seward and Vice-President Fillmore for favors. This created an embarrassing situation, for the anti-slavery elements of the party were more numerous. Since the Whigs, therefore, had to retain their conglomerate status in order to hold a majority, Seward and Fillmore were hard put to reconcile the differences. Taylor, unwilling to provide strong leadership, placed most of the appointment responsibilities on the Cabinet. Finally, Seward and Fillmore compromised by permitting the Albany government and the Governor of New York to make recommendations, thus avoiding the possibility of strife between the Vice-President and the Senator.

In April, Seward handled some legal causes in Charleston, South Carolina. While there he was struck not only with the genial hospitality of the southerners, but also with the hold which the doctrine of disunity

\(^3\)Ibid., pp. 105-106.
and secession seemed to have over the minds of the South Carolinians.

When the 31st Congress convened on December 3, 1849, the opening of the session was marked by a bitter disagreement concerning the speakership of the House. The Whigs supported Robert C. Winthrop of Massachusetts, and the Democrats supported Howell Cobb of Georgia. Three weeks and sixty-two ballotings were required before it was finally agreed to select a speaker by plurality vote. Cobb became the Speaker, thus giving the Democrats control of the organization of both Chambers of the legislature.

The speakership question having been settled, Taylor presented his message to Congress. The part of his speech considered most important by all members was the section dealing with California and New Mexico. Taylor indicated that he had sent Thomas Butler King of Georgia to invite the citizens of the two territories to hold conventions and submit constitutions for consideration of their admission as states. In simple terms, he hoped to settle the slavery question by his version of "popular sovereignty." This plan was unacceptable to the southerners, who wanted a guarantee that slaves could be taken freely into the new states. In both the House and the Senate, representatives of the South were heard to speak of disunion and secession if slavery were abolished in the District of Columbia or prohibited in the territories.

Against this explosive background, toward the close of January, 1850, Henry Clay proposed his historic compromise which was destined to give rise to that celebrated debate in which Webster and Seward were to
have historic roles. Briefly, Clay advocated that California should be admitted, that territorial governments should be established in New Mexico and the other portions acquired from Mexico, that the federal government should pay the debt of Texas and establish her western boundary, that slavery should be restricted but not prohibited in the District of Columbia, that there should be a new and more stringent fugitive slave law, and that Congress should formally deny any power to obstruct the slave trade between the states.  

These resolutions and the modifications which were proposed touched off a debate which lasted for weeks. That debate reached its height in March. On March 4, Senator Mason read the plea of the dying Calhoun, arguing that Clay's plan of adjustment was not adequate, and expressing dismal forebodings of disunion. On March 6, Daniel Webster rose to present the speech which has ever since been recorded as marking an era in his life, and about which so much has been written by historians and rhetorical critics alike. On March 11, the floor was given to William Seward, and he delivered his great speech on "California, Union, and Freedom," often called the "Higher Law" speech.

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4Ibid., pp. 249-252.


6Ibid., 476-484 and Appendix, 269-276.

There is good evidence that Seward did not intend the speech totally or even primarily for those present in the Senate. Like many of his addresses, it was apparently intended for a larger, and perhaps even for a later audience. In this regard, Hale observes:

His speech was more a statement of principles than an attempt to persuade. One can hardly imagine anybody in favor of the Compromise being led to oppose it by listening to him on this occasion. But the address was probably intended more as a pamphlet than as a speech, as a definition of his position.8

Seward, in the speech itself, indicated this purpose in terms reminiscent of those used in the pre-trial speech of the Freeman case.

... I shall vote for the admission of California directly, without conditions, without qualifications, and without compromise.

For the vindication of that vote, I look not to the verdict of the passing hour, disturbed as the public mind now is by conflicting interests and passions, but to that period, happily not far distant, when the vast regions over which we are now legislating shall have received their destined inhabitants.9

In addition to clearly indicating that the speech was intended for a secondary audience, this paragraph seems to ring true. Seward was identifying himself unequivocally, in this speech, as an anti-slavery man. If any had doubted his position prior to this time, there could be no further doubt. Whatever his motivation—intellectual, emotional, or a desire to look selfishly ahead to possible political triumphs—Seward

8Hale, op. cit., p. 191.
9Globe Appendix, op. cit., 269.
had cast his lot with those who looked to eventual abolition. Hale notes that:

It was a position that he shared with few. On the floor of the Senate Chase of Ohio and Hale of New Hampshire were the only members who were ready to support him . . . .

This speech is a most noteworthy event in the life of Seward, in that it marked him for all time as an out-and-out anti-slavery man;—indeed, as almost an abolitionist.10

Lodge, convinced that Seward was seeking to bring the Whigs around to a stronger anti-slavery position, asserts:

... but neither he nor the President could hold their own party. The Whigs gave way in all directions and their fate was sealed. Seward had hoped that the Whigs might become the party of freedom; and if they had followed his lead and Taylor's in 1850, they might have done the work and reaped the glories and the reward of the Republicans. They failed at the supreme moment, and thus went down into the dust; for great issues are inexorable, and when they are not obeyed they crush.

From the Whig chiefs themselves came the policy of compromise— or, in other words, of concession— to slavery. Webster fell on the 7th of March, and Seward, with unflinching courage, stepped into the vacant place, and grasped the standard of the Free North as it dropped from the hands of the great Senator from Massachusetts.11

Lodge's analysis of the relative courage shown by the two men is open to considerable question here. History will probably never know for sure whether Webster felt that compromise might help him in his aspirations to be President or whether he accurately perceived that it would damage his career but felt that he owed a higher duty to the Union. If the latter is true, he may well have been showing greater moral courage

11 Lodge, op. cit., pp. 31-32.
than Seward; for Seward knew that anti-slavery sentiment was a powerful and growing force in the North, and that it was certainly a popular position in his own state of New York. It should also be remembered that, in 1850, Seward simply did not believe in the likelihood of disunion. He made that point amply clear in this speech and in others, as we shall soon note. In 1861, when he did perceive the imminent possibility of disunion, he also made a compromise proposal which deviated substantially from his anti-slavery convictions. In any case, Lodge is probably quite correct in his belief that Seward hoped to unite the Whigs in the anti-slavery movement. To this extent, his speech did not achieve its objectives.

The great importance of this address, aside from the effects it may have had on Seward's personal career, is found in that it marked the first great attack on slavery made in the Senate of the United States by the acknowledged leader of a major party. Lothrop notes this effect:

The speech marked an epoch in discussions on slavery in the Senate of the United States. It was the first time that any senator, regularly elected by one of the great parties of the country, had made in the Senate not merely a statement of his own position, but what was felt to be an authentic declaration of the attitude as to slavery of a formidable and growing minority, if not a majority, of the people of the North.\footnote{Lothrop, \textit{op. cit.}, pp. 83-84.}

Woodrow Wilson, after commenting on Webster's speech, observes:

Still more significant, if possible,—for they spoke the aggressive purposes of a new party,—were the speeches of
Senator Seward of New York, and Senator Chase of Ohio, spokesmen respectively of the Free-Soil Whigs and Free-Soil Democrats.13

Avery Craven also seems to feel that Seward's speech was particularly significant as indicating the future wave of popular sentiment.

The speech of William H. Seward, given a few days after Webster's, was even more to the point and, in some ways, more significant. Seward expressed current attitudes. He revealed future trends. He would have nothing to do with the Compromise: all compromises meant the surrender of the exercise of judgment and conscience. He would admit California at once on merit alone, and settle the other issues in like manner as a majority wished.14

Seward's first major Senate address, then, may well have been his most significant utterance on slavery until the "Irrepressible Conflict" speech of 1858. It was significant in that it permanently marked him as a strong anti-slavery man and in that it served as an indicator and a forecast of the sentiment which was growing throughout the North. To assess the nature of his rhetorical achievement on this occasion, let us turn to an analysis of the speech.

Beginning unostentatiously, Seward commented on the California of four years ago, then on the California of one year ago, then on the California of 1850, which he found to be "more populous than the least and richer than several of the greatest of our thirty states." He noted that California, which was now seeking admission to the Union, found the


14Craven, op. cit., p. 256.
Senate debating the dissolution of the Union itself. He then asked and answered this question:

Shall California be received? For myself, upon my individual judgment and conscience, I answer, Yes. For myself as an instructed representative of one of the states, one even of the states which is soonest and longest to be pressed in commercial and political rivalry by the new commonwealth, I answer, Yes. Let California come in.15

This argument concerning the future competition between California and New York shows realistic far-sightedness on the part of Seward. It also shows good use of both ethical and logical proof. Putting himself and his state in the magnanimous position of urging the admission of this strong potential competitor would make it more difficult for the opposing Senators to assail his position and would also make good reading for the audience at home.

Seward then asked another question which served as a transition into another line of reasoning. "Why should California be rejected?"
First, it had been argued that "California comes unceremoniously, without a preliminary consent of Congress, and therefore by usurpation."
Seward denied this, on the ground that California had been taken by conquest from Mexico. He then maintained that even if the objection were true, Michigan and other states had come in the same way, with Congress waiving the irregularity.

Second, it had been argued that California had assigned her own boundaries without the previous authority of Congress. Here he said

that California was left to do this on her own, and had no choice but
to assign her own boundaries or remain unorganized.

Third, it had been argued that California was too large. Seward
advanced four answers to this argument: first, that there was no common
standard, and that California was smaller than one state already in the
Union; second, that the state could be divided with her own consent just
as with Texas; third, that the boundaries seemed natural; and fourth
that the boundaries seemed convenient.

It was also necessary for Seward to answer the objection that
California had no census taken prior to her convention. Again he
answered that California had been left on her own in this regard, and
that the requirement could be waived in any case.

The fifth objection was that California came under the influence
of the President, first, in coming as a free state, and second, in coming
at all. He dismissed the first charge as without proofs, and admitted
the second, describing the President's action as the best possible
solution to establishing a government in California in order to relieve
himself of the necessity of maintaining a military protectorate.

Seward had been following a standard pattern of arrangement.
First he had introduced his topic and made attempts at conciliation and
ethical proof. Then he had stated and answered the objections of those
who opposed his position. He now made a transition into what he
apparently considered the most important argument of his opponents.
I have now reviewed all the objections raised against the admission of California. It is seen that they have no foundation in the law of nature and of nations. Nor are they founded in the Constitution, for the Constitution prescribes no form or manner of proceeding in the admission of new states, but leaves the whole to the discretion of Congress. "Congress may admit new states." The objections are all merely formal and technical. They rest on precedents which have not always, nor even generally, been observed. But it is said that we ought now to establish a safe precedent for the future.16

Seward had three answers to this position: first, that it was too late and should have been considered in regard to Texas and the whole Mexican War; second, that they could not bind future Congresses to their precedents even if they chose; and third, that nations do and must consider each situation in light of its own peculiar circumstances.

Thus Seward concluded his refutation of the arguments advanced in opposition to the admission of California. He was now ready to present his constructive arguments for her admission. He began this section of the speech by restating his doctrine of manifest destiny. He said that the population of the United States was constantly increasing and would approach two hundred million by the year 1950. The Senate, he felt, was now facing the question of whether this would be a united or divided people. Seward, however, was not referring to the division between North and South. He was concerned with the possibilities for a division between East and West.

The style of language which Seward used in developing this point is impressive. The word choice is simple and lucid, but seems to

16Loc. cit.
lend a dignity and urgency to the matter under consideration by its earnestness and intensity.

And now it seems to me that the perpetual unity of the empire hangs on the decision of this day and of this hour. California is already a state—a complete and fully appointed state. She can never again be less than that. She can never be made to shrink and shrink into the proportions of a federal dependent territory. California, then, henceforth and forever, must be, what she is now, a state.

The question whether she shall be one of the United States of America had depended on her and on us. Her election has been made. Our consent alone remains suspended; and that consent must be pronounced now or never. I say now or never. Nothing prevents it now but want of agreement among ourselves. Our harmony cannot increase while this question remains open. We shall never agree to admit California, unless we agree now. Nor will California abide delay.17

Seward went on to develop this line of reasoning, expressing the fear that California, cheated of what was rightfully hers, would become independent, taking Oregon with her; and that, with possible foreign support, the western empire would expand eastward, creating two nations out of what should be the United States.

Not content to use a clear and forceful style in this speech, Seward also utilized a strong organizational pattern and convincing logical proof. At this point he had provided his audience, primary and secondary, with substantive responses to the arguments of those who opposed the admission of California, and had developed a good line of reasoning as to why that admission was both desirable and urgent.

17Ibid., p. 262.
Seward believed, and wanted his audience to believe, that the real objection to California's admission was nothing more than her free state status, and that no compromise proposals would have arisen or been necessary but for the underlying conflict between freedom and slavery. It is his statement of this belief that Craven saw as reflecting the steady hardening of northern sentiment against compromise with the South.

But it is insisted that the admission of California shall be attended by a COMPROMISE of questions which have arisen out of SLAVERY!
I AM OPPOSED TO ANY SUCH COMPROMISE, IN ANY AND ALL THE FORMS IN WHICH IT HAS BEEN PROPOSED; because, while admitting the purity and the patriotism of all from whom it is my misfortune to differ, I think all legislative compromises, which are not absolutely necessary, radically wrong and essentially vicious.18

After developing at some length this philosophical objection to compromise, Seward commented on the various specific proposals which had been made. He accurately observed that each proposal required the exchange of human liberty in some portion of the country for liberty, gold, and power in California. Returning to the position that these proposals should not even be considered because of their peripheral nature, Seward said:

But, sir, if I could overcome my repugnance to compromises in general, I should object to this one, on the ground of the inequality and incongruity of the interests to be compromised. Why, sir, according to the views I have submitted, California

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18 Loc. cit.
ought to come in, and must come in, whether slavery stand or fall in New Mexico and Eastern California; and even whether slavery stand or fall in the slave states. California ought to come, being a free state; and the circumstances of her conquest, her compact, her abandonment, her justifiable and necessary establishment of constitution, and the inevitable dismemberment of the empire consequent upon her rejection. I should have voted for her admission even if she had come as a slave state. California ought to come in, and must come in at all events. It is, then, an independent, a paramount question. What, then, are these questions arising out of slavery, thus interposed, but collateral questions? They are unnecessary and incongruous, and therefore false issues, not introduced designedly, indeed, to defeat that great policy, yet unavoidably tending to that end.

At this point, Senator Foote interrupted Seward to ask if he really meant that he would vote for California if she requested admission as a slave state. Seward replied unequivocally that he would do so, considering the peculiar circumstances of California's petition, but that he would not vote for her admission as a slave state otherwise.

Aside from the fact that he was philosophically opposed to compromise and that he considered the provisions of the current proposal to be irrelevant, Seward felt that "... consent on my part would be disingenuous and fraudulent, because the compromise would be unavailing." His development of this argument shows his political realism; for it demonstrates that he was keenly aware of the fact that laws cannot be enforced against a society in which the majority is...

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19 Ibid., pp. 261-262.
20 Ibid., p. 262.
21 Ibid., p. 263.
opposed to the law.

First Seward considered Calhoun's plea for a guarantee of equilibrium between northern and southern states. Seward's point was that such a guarantee would amount to giving the minority a veto over the wishes of the majority, which would entail a return to the Articles of Confederation. He suggested that such a political equilibrium could not be artificially maintained in the absence of a physical equilibrium, and the physical power of the South had dwindled and would continue to dwindle, both in number of states and relative population.

Seward also felt that a stricter fugitive slave law would be unenforceable. The cause of the inefficiency of the present law, he held, was not its leniency, but that the North was simply convinced that the law was unjust, unconstitutional, and immoral, and would not enforce it. Said Seward:

You will say that these convictions of ours are disloyal. Grant it for the sake of argument. They are, nevertheless, honest; and the law is to be executed among us, not among you; not by us, but by the federal authority. Has any government ever succeeded in changing the moral convictions of its subjects by force?

Not content with this logical appeal, Seward added a plea with elements of pathetic eloquence. He quoted from the only two compacts, which, in his knowledge of diplomatic history, recognized the extradition of slaves. One was a pact between Greece and Russia, signed in

\[22\text{Loc. cit.}\]
the Dark Ages and the other was the United States Constitution. Seward observed that:

The law of nations disavows such compacts; the law of nature, written on the hearts and consciences of freemen, repudiates them. Armed power could not enforce them, because there is no public conscience to sustain them. I know that there are laws of various sorts which regulate the conduct of men. There are constitutions and statutes, codes mercantile and codes evil; but when we are legislating for states, especially when we are founding states, all these laws must be brought to the standard of the laws of God and must be tried by that standard, and must stand or fall by it.  

This is the first hint in the speech of the "Higher Law" doctrine which gave the address its popular name and which led to the highest praise and greatest criticism which the speech received from contemporaries. It is very evident that this line of argument was intended for popular consumption in the North, rather than for the purpose of persuading any of the pro-slavery Senators to support the admission of California.

Seward moved on to a discussion of that portion of the proposed compromise which would abolish the slave trade but guarantee the existence of slavery in the District of Columbia. He said that while he recognized that a majority of the Congress did not yet favor emancipation in the District of Columbia over which they had exclusive right to legislate, he could not vote for a compromise which would stand as an impediment when that majority would come, as it surely would come.

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23*Loc. cit.*
This same line of reasoning he applied to the provision waiving the "proviso of freedom" in the territorial charters.

It seems to us that Seward has an implicit inconsistency in his reasoning here. He had already suggested that the actions of one Congress could not bind subsequent Congresses if they chose to act differently. Such would also be the case in regard to the portion of the compromise guaranteeing the continuance of slavery in the District of Columbia. At most it would have been only a psychological deterrent to a future Congress.

In regard to the provision fixing the boundary between Texas and New Mexico, Seward felt that this was a judicial question, or one to be settled between the two parties and not on the basis of national expediency. He also addressed himself to a portion of Webster's speech which had alluded to the Congressional obligation to admit four new slave states from Texas. According to Seward, if Texas consented to divide, each new state would have the right to declare itself slave or free, and Congress would have the right to decide whether or not to admit each as the occasion arose. He also questioned the constitutionality of the article annexing Texas on the grounds that an annexation of a foreign country could have only been carried out by the treaty-making power of the President and the Senate. It would seem that these arguments would have little likelihood of affecting the issue before the Congress; however, they would have appeal in the North which had opposed the Mexican War so vehemently.
Seward next attempted a detailed refutation of the constitutionality of slavery itself, and of the "right" of equilibrium between northern and southern states. He made the point that the Constitution did not expressly affirm anything on the subject of slavery—that slavery was considered only in the three-fifths compromise and in the provision dealing with fugitives from labor. In both instances, he noted that the Constitution designedly referred to them "not as slaves, much less as chattels, but as persons," thus "leaving the slave still an inhabitant, a person, a living, breathing, moving, reasoning, immortal man." According to Seward, even if the Constitution did recognize slavery

It would be sufficient then, to reply that this constitutional recognition must be void, because it is repugnant to the law of nature and of nations . . . .

The right to have a slave implies the right in some one to make the slave; that right must be equal and mutual, and this would resolve society into a state of perpetual war. But if we grant the original equality of the states, and grant also the constitutional recognition of slaves as property, still the argument we are considering fails. Because the states are not parties to the Constitution as states; it is the Constitution of the people of the United States.24

Seward's logic in refuting the natural and constitutional basis of slavery is quite strong. But we must note again that such an appeal could have little effect on the immediate audience. Seward was clearly trying to increase anti-slavery sentiment in the North and also to assume the role of leader of that movement.

24Ibid., p. 264.
Even if the states did continue under the Constitution as states, said Seward, they surrendered their equality as states by submitting themselves to the will of the majority, with certain checks and balances such as equal representation in the Senate.

On the basis of all this, Seward felt that the arbitrary classification of states into northern and southern or slave and free was purely "imaginary," and political equilibrium between the two classes a "mere conceit." After all, when the constitution was adopted only one state was free. How could it be argued that equilibrium existed at that time? And had the Constitution not provided for the coming in of western states? Had Virginia not ceded her western domain to the federal government? Had the Ordinance of 1787, agreed to by the South, not prohibited slavery?

How did it happen that this theory of the equality of states, of the classification of states, of the equilibrium of states, of the title of the states to common enjoyment of the domain, or to an equitable and just partition between them, was never promulgated, nor even dreamed of, by the slave states when they unanimously consented to that ordinance?²⁵

Seward felt that the compromise proposals implied the assumption that slavery was a dominant or ruling institution in the present slave states. He did not accept this. Freedom also existed in those states, and was actually the dominant institution. In only two states were the

²⁵Ibid., p. 265.
slaves a majority, and in no states were the actual slaveholders a
majority. This argument ignores the political fact that dominant in-
stitutions do not require majority participation. They merely require
the support of that group of people which is dominant in the decision-
making process. This line of reasoning, however, laid the basis for
arguments which Seward was to develop in later speeches to the effect
that the conflict was not really between North and South, but between
the democratic mass in the North and the privileged class of aristocrats
in the South.

Now Seward came to the part of the speech in which he used the
controversial phrase "Higher Law." Looking at his development of the
speech, we see no intent on his part to emphasize these two words.
They are not even underlined in the published drafts of the speech. He
had already said the same thing in the speech, as we have previously
noted. It would appear to us that he was merely appealing to the reli-
gious and emotional attitudes which were so prevalent in the North, and
following one of his own precepts of public speaking which we have
discussed—that of presenting the people with "generalities." Looking
at the passage in its entirety, we cannot help but observe that Seward
is using an argument which is largely pathetic in nature. In addition
to "Protestantism," Seward is appealing to the nationalistic and
patriotic motives of his secondary audience as well as to the anti-
slaveryism which he knew to be growing in the North. The passage is
as follows:

But there is yet another aspect in which this principle must be examined. It regards the domain only as a possession, to be enjoyed either in common or by partition by the citizens of the old states. It is true, indeed, that the national domain is ours. It is true it was acquired by the valor and with the wealth of the whole nation. But we hold, nevertheless, no arbitrary power over it. We hold no arbitrary authority over anything, whether acquired lawfully or seized by usurpation. The Constitution regulated our stewardship; the Constitution devotes the domain to union, to justice, to defense, to welfare, and to liberty.

But there is a higher law than the Constitution, which regulates our authority over the domain, and devotes it to the same noble purposes. The territory is a part, no inconsiderable part, of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards, and must so discharge our trust as to secure in the highest attainable degree their happiness . . .

This is a state, and we are deliberating for it, just as our fathers deliberated in establishing the institutions we enjoy.

And now the simple, bold, and even awful question which presents itself to us is this: Shall we, who are founding institutions, social and political, for countless millions; shall we, who know by experience the wise and the just, and are free to choose them, and to reject the erroneous and unjust; shall we establish human bondage, or permit it by our sufferance to be established?

There is no mistaking Seward's position. He is favoring the admission of California as a free state and opposing the admission of additional slave territory, although he feels that the peculiar circumstances of California's petition are so compelling that he would vote for her admission even if she came as a slave state. In essence,

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26. This phrase makes it clear that Seward is saying that the Constitution and the "higher law" are in agreement, not in conflict, in regard to the principles he is advocating.

27. Globe Appendix, op. cit., p. 266.
however, he favors a Wilmot Proviso for all territories, and wishes his audience to believe that slavery is contrary to the laws of God and man. At the same time, he is proposing only what he considers to be constitutional, legal, and non-violent means of restricting slavery, and threatens no interference with slavery in the states where it exists. Still, he could not but know that such appeals would make him anathema in the South, for if slavery is contrary to the laws of God, the South is violating those laws. The South, which prided itself on its chivalry and Christianity (as we saw in Chapter II) could hardly respond rationally to Seward's arguments.

Walter Sharrow, in sharing this view of Seward's "Higher Law" argument, says that

This portion of the speech was vague and soon became subject to varied interpretations and distortions . . . . Seward, however, recognized no conflict between natural law and the constitution and advocated no such radical acts [as violent and unconstitutional attempts to aid the cause of freedom in the territories].

Seward did feel that Congress had the power to regulate slavery in subsequent applications for statehood. As he saw it, Congress had been given the power to admit or reject such applications, and the greater power necessarily implied the lesser (an interesting use of an Aristotelian topic); therefore, Congress could impose conditions of

admission. But Webster had raised an objection to such regulations—that slavery was naturally limited by climate, and that it was useless to re-enact the law of God. Seward answered this argument with logic and example. He pointed out that slavery had existed in many climes, including his own state of New York. He mentioned the universal approval of the Ordinance of 1787, which had found it necessary to regulate slavery up to the fortieth parallel. Then he advanced an argument of considerable pathetic power.

Sir, there is no human enactment which is just that is not a re-enactment of the law of God. The Constitution of the United States and the constitutions of all the states are full of such re-enactments. Wherever I find a law of God or a law of nature disregarded, or in danger of being disregarded, there I shall vote to re-affirm it, with all the sanction of the civil authority.29

It had also been argued that any evils of slavery would not be increased by its extension. Seward denied this argument, maintaining that slavery had obviously been strengthened by its diffusion into Missouri and weakened by its exclusion from the Northwest Territory. And this, said Seward:

... brings me to the great and all-absorbing argument that the Union is in danger of being dissolved, and that it can only be saved by compromise. I do not know what I would not do to save the Union; and therefore, I shall bestow upon this subject a very deliberate consideration.30

29Globe Appendix, op. cit., p. 266.

30Loc. cit.
It is rather clear from this passage that Seward placed the preservation of the Union above almost everything else—probably even above his opposition to slavery. It would seem probable to us that he would have joined Webster in supporting the compromise proposals if he had believed that the dissolution of the Union were imminent. But Seward did not believe this. He did not believe it because of his fundamental belief in nationalism which gave rise to the dissertation of Walter Sharrow which we have previously cited. It was to this belief which he turned in developing much of the rest of his speech.

Seward found no evidence of the imminent revolution feared by many. At most, he found only signs of broad disagreement. He expressed the belief that there could be no revolution without adequate cause, and that no such cause presently existed. Seventeen states had been admitted already, and the southern states had been losing power since the birth of the republic. The strength and political desirability of the Union transcended sectional problems, and if there were ever to be a division of the nation it would be more likely to occur along the natural lines of the country dividing it into East and West rather than North and South. Indeed, thought Seward, if the South were actually to face the great decision of revolution and were to ask for what they fought, the answer would have to be African slavery; and that they would then come to realize that the choice of slavery had given them luxury at the expense of power and empire.
The next three paragraphs are among the most insightful statements ever made by Seward. Indeed, they may well be among the most accurate observations made in all the voluminous anti-slavery rhetoric of the decade preceding the Civil War. Bancroft, usually cautious in his compliments and quick to search for ulterior motives, feels that:

It is doubtful if Seward ever showed more sober moral courage and statesmanlike insight than in the following passage on the real problem of the time and how to solve it. We know of nothing surpassing it in all anti-slavery literature.31

The passage to which he is referring is as follows:

The controversy ... embraces the fearful issue whether the Union shall stand, and slavery, under the steady, peaceful action of moral, social, and political causes, be removed by gradual, voluntary effort, and with compensation, or whether the Union shall be dissolved, and civil wars ensue, bringing on violent but complete and immediate emancipation. We are now arrived at that stage of our national progress when that crisis can be foreseen, when we must foresee it. It is directly before us. Its shadow is upon us. It darkens the legislative halls, the temples of worship, and the home and the hearth. Every question, political, civil, or ecclesiastical, however foreign to the subject of slavery, brings up slavery as an incident, and the incident supplants the principal question. We hear of nothing but slavery, and can talk of nothing but slavery. And now, it seems to me that all our difficulties, embarrassments, and dangers, arise, not out of unlawful perversions of the question of slavery, as some suppose, but from want of moral courage to meet this question of emancipation as we ought. Consequently, we hear on one side demands--absurd, indeed, but yet unceasing—for an immediate and unconditional abolition of slavery—as if any power, except the people of the slave states, could abolish it, and as if they could be moved to abolish it by merely sounding the trumpet loudly and proclaiming emancipation, while the institution is interwoven with all their social and political interests, constitutions, and customs.

31 Bancroft, op. cit., p. 249.
On the other hand, our statesmen say that slavery has always existed, and, for aught they know or can do, it always must exist. God permitted it, and He alone can indicate the way to remove it. As if the Supreme Creator, after giving us the instructions of his providence and revelation for the illumination of our minds and consciences, did not leave us in all human transactions, with due invocations of His Holy Spirit, to seek out His will and execute it for ourselves.

Here, then, is the point of my separation from both of these parties. I feel assured that slavery must give way, and will give way, to the salutary instructions of economy, and to the ripening influences of humanity; that emancipation is inevitable, and is near; that it may be hastened or hindered; and that whether it shall be peaceful or violent, depends upon the question whether it be hastened or hindered; that all measures which fortify slavery or extend it, tend to the consummation of violence; all that check its extension and abate its strength, tend to its peaceful extirpation. But I will adopt none but lawful, constitutional, and peaceful means, to secure even that end; and none such can I or will I forego. Nor do I know any important or responsible political body that proposes to do more than this. No free state claims to extend its legislation into a slave state. None claims that Congress shall usurp power to abolish slavery in the slave states. None claims that any violent, unconstitutional, or unlawful measure shall be embraced.32

This position is clear and forceful, yet conciliatory. Seward believes in the inevitability of emancipation and in the desirability of that emancipation. He will support all legal means to hasten it, but will oppose any violent action against the South. Seward went on to imply that he would support federal compensation or any other reasonable proposals to aid the South in emancipation whenever the South became ready to listen. If Seward had sustained his rhetoric on this high

32Ibid., p. 268.
plane, and avoided such inflammatory phrases as "Higher Law" and "Irrepressible Conflict" he might well have emerged as the greatest political figure of his age and have provided the leadership which could have aided in resolving the great issue of the time. If other statesmen of both North and South could have risen to the level of statesmanship shown in these paragraphs then the slavery controversy might have followed a different course. But such was not to be the case.

As he completed his argument as to why there was no immediate cause for revolution, Seward turned to the demands of the South. The guarantee of an effective fugitive slave law, he reminded his audience, was beyond anyone's capabilities, for "you cannot roll back the tide of social progress." War for this guarantee could, at most, result in a victory for the South and a treaty—that they had already.

Nor could war protect slavery in the District of Columbia. Immediately upon a declaration of hostilities, the North could decree the abolition of slavery in the national capital. Nor could war propagate slavery in the territories or still the voices of those who were speaking out against slavery. Indeed, disunion and war, even if the South were victorious, could bring it none of the guarantees or gains it was seeking.

Another line of reasoning which Seward developed in an apparent attempt to reassure or conciliate the South was the argument that emancipation, although it would inevitably occur, was naturally inhibited from
progressing too rapidly. This he believed true for several reasons: first, because slavery had strong political allies in the North; second, because slavery had a natural economic alliance with the economic aristocracy of both the North and Europe; third, because of the natural prejudice, even in the North, of caste and color; and fourth, because

New states cling in closer alliance than older ones to the federal power. The concentration of the slave power enables you for long periods to control the federal government with the aid of the new states. I do not know the sentiments of the representatives of California; but, my word for it, if they should be admitted on this floor today, against your most obstinate opposition, they would, on all questions really affecting your interests, be found at your side.33

Seward felt, therefore, that there was no basis for disunion. The Union, he held, was more than a creature of consent and choice; it was a creature of "necessities, physical, moral, social, and political," and "endures by virtue of these same necessities." There could not really be a divided allegiance, part to the South and part to the Union. Seward, himself, could take great pride in his home state, as could other Senators.

But for all this I know only one country and one sovereign—the United States of America and the American People. And such as my allegiance is, is the loyalty of every other citizen of the United States. As I speak, he will speak when his time arrives . . . .

Let, then, those who distrust the Union make compromises to save it. I shall not impeach their wisdom, as I certainly cannot their patriotism; but indulging no such apprehensions

33 Ibd., pp. 268-269.
myself, I shall vote for the admission of California directly, without conditions, without qualifications, and without compromise. 34

There is no mistaking Seward's appeal here. He was aiming directly at one of the "cohesive" attitudes of the ante-bellum Americans, namely nationalism. He seemed quite optimistic in the belief that this attitude was so important to the Americans as a whole as to render disunion unthinkable. And he felt that this attitude transcended the passions of the moment. From this perspective, as we have previously indicated, Seward could legitimately end his speech on this high note:

For the vindication of that vote, I look not to the verdict of the passing hour, disturbed as the public mind now is by conflicting interests and passions, but to that period, happily not far distant, when the vast regions over which we are now legislating shall have received their destined inhabitants.

While looking forward to that day, its countless generations seem to me to be rising up and passing in dim and shadowy review before us; and a voice comes from their serried ranks, saying: "Waste your treasures and your armies, if you will; raze your fortifications to the ground; sink your navies into the sea; transmit to us even a dishonored name, if you must; but the soil you hold in trust for us--give it to us free. You found it free, and conquered it to extend a better and surer freedom over it. Whatever choice you have made for yourselves, let us have no partial freedom; let us all be free; let the reversion of your broad domain descend to us unincumbered, and free from the calamities and from the sorrows of human bondage. 35

Seward was effective in this passage, and throughout the speech, in interweaving logical, ethical, and pathetic proofs. Equally impressive

34 Ibid., p. 269.
35 Loc. cit.
was the lucidity of his style. It seems adequately oral while at the same time was readable enough for distribution in pamphlet form to the secondary audience. Still more persuasive was Seward’s logos. With telling force he found the available proofs and lines of reasoning to support his claims and of organizing these in such a way as to make them easy to follow. Some of his arguments may be abstract, but this practice often may be defended when one is trying to appeal to the higher motives of his audience. All in all, this speech, it would appear, was consistent with the principles for which Seward stood, and with the promises made to his audiences in the campaign of 1848. There is nothing in the address to indicate that Seward was either radical on slavery or unwilling to take a firm stand on it. The whole content of his stand could be summed up very briefly as follows: the peculiar circumstances of California’s petition demand her immediate admission, whether she comes in the union as a slave state or a free state; Congress has the right to outlaw slavery in the applications for statehood of other territories and should do so, for both the Constitution and higher law recognize the slave to be a person; thus, slavery should not exist; emancipation will ultimately occur from natural forces, and steps should be taken to encourage this; but all such steps should be constitutional, legal, and non-violent. That such a stand was reasonable, moderate, and in keeping with the highest form of statesmanship seems clear.
The speech, as we have frequently noted, was designed partially, if not primarily, for a secondary audience. It could not help, however, affecting the members of the Senate, divided as they were over this great question. The reaction of the immediate audience has been recorded by two of Seward's biographers. According to Bancroft:

Although it was known that he was to speak, the little galleries were not crowded. Many Representatives came in, but there was no throng of fashionable ladies to smile at the white-haired gallants of the Senate and to obtain admission to the floor as on the days when Clay, Calhoun, and Webster spoke. The immediate impression on the listeners was not very great. Some passages were delivered with an almost painful deliberation and monotony; but when he came to speak of human rights his pulsations quickened, his tones were less husky, and he was, in effect, interesting and eloquent. Webster paid close attention, hardly taking his eyes from the speaker. Corwin was appreciative, and Hale seemed to be delighted. Foot and Calhoun alone showed signs of uneasiness. Calhoun at first was restless, and was thought to be angry; but soon all expression disappeared from his face, while he gazed fixedly at his new opponent. So he sat, as if magnetized, through the speech of nearly three hours. On no previous day during this session had he remained so late.36

Lothrop's comment on the primary audience is informative, but is marred by his failure to identify the source. There is no cause to doubt his statement despite the fact that we cannot find corroboration. He says that:

An intelligent listener said of it, at the time, that it was marked by more breadth of view, more vigor of thought, and a more profound and masterful treatment of the subject, than was displayed by either Clay or Webster.37

36 Bancroft, op. cit., pp. 251-252.
37 Lothrop, op. cit., p. 83.
Our greatest concern, however, is with the effect which the speaker had on his real target audience—the masses of the northern citizenry. Bancroft feels that Seward fulfilled his hope that the speech would have considerable effect on this secondary audience.

The importance of the speech became more apparent when seen in print. The Tribune correspondent telegraphed that night that it would "wake up the Union." Almost instantly the leading anti-slavery Whig papers pronounced it the best systematic exposition of the principles of freedom that had ever been made in Congress. Within a few days the anti-slavery Democrats, the Free-Soilers, and the abolitionists, seeing that it rose above partisanship, praised it enthusiastically. Before the month of March had expired, one hundred thousand copies had been sent out from Washington, and it was famous throughout the country as the "higher law" speech, and every intelligent man had taken side for or against it.38

We have already observed that there is no evidence that Seward wished the phrase "Higher Law" to be an especially prominent part of the speech. We have seen how Sharrow felt that the portion of the speech in which this phrase appeared was vague enough to cause considerable popular debate. Here we find Bancroft noting how the speech came to be known by that phrase. In recent years, as in the 1964 presidential campaign for example, we have seen how it is possible for a candidate to become identified with a catch word or phrase, and it appears to have been the same in 1850. In this case it would appear that the phrase "Higher Law" was a major factor in making the speech of March 11 famous, but it may very well have had the overall effect

38 Bancroft, op. cit., p. 252.
of lessening the effectiveness of an otherwise great speech. This is
certainly Bancroft's opinion.

The speaker's peculiarities of style and expression, rather
than the novelty of the sentiments attracted attention, for
Hale had made the Senate familiar with radical views. But what
was startling was the way he had reduced the anti-slavery argu­
ments to a concise and philosophical creed. And still more
mysterious were his sentences declaring that there was a certain
superhuman something above the Constitution and superior to the
written laws, that might make them weak or ineffectual, and to
which he gave the name of the "higher law."39

Bancroft, in attempting to clarify his position, proceeded to
say:

The vague startling sentences gave Seward great notoriety,
but they were damaging to his reputation and seriously injured
as good a cause as any man ever favored. What the period
needed was sober, practical reasoning. The right philosophy
had been obscured in phrases that sounded like so many literary
gems from the phrase-book of the Garrisonians. They made
Seward appear to be the chief of the radicals of abolition;
they elicited the hatred of the conservative northern Whigs and
Democrats at the very time when, if he could have obtained a
hearing with them such as he had with the Cabinet, he might have
persuaded many to support the President—which was all that was
 needed then. What he had already said at Cleveland about the
antagonism between slavery and freedom, and what was to be
announced with greater force at Rochester [the "Irrepressible
Conflict"], was real statesmanship, because it was wise, posi­
tive, and clear—it was an electric light in the fog. The
"higher law" made the speech of March 11th famous, but it was
his concise statement of the history and the present and future
significance that was most valuable. The good influence of the
whole speech was lessened by the sentences indicating that he
was courting the applause of the revolutionary abolitionists.
Otherwise it would have been one of those great achievements
like Webster's reply to Hayne, that so elucidate facts and shape

public thought that they mark epochs in history. Such speeches need no explanation for they state the whole problem and solve it. 40

One can agree only partially with Bancroft here. It is true that the strength of the 1850 speech was in its clear and logical explanation and synthesis of anti-slavery principles. While certain of its passages, as we have already seen, were truly eloquent in style, it is also clear that the greatest deficiency of the speech is in the vagueness of style found in the passages associated with the "Higher Law." At the same time we are forced to conclude that the Rochester speech was deficient in statesmanship when compared to the "Higher Law" speech. Much will be said about this speech at the appropriate time in our chronological consideration of Seward's speaking, but the fundamental difference is that the "Higher Law" speech compensated to some extent for its vagueness by clearly indicating repeatedly that Seward advocated no radical or unconstitutional means of suppressing slavery. The later speech, through carelessness or otherwise, omits such conciliating reassurances.

The phrases "Higher Law" of 1850 and "Irrepressible Conflict" of 1858 were destined to stay with Seward from the moment of their utterance until his death. The effect which these phrases had on his presidential aspirations and on the adoption of his policies can only be surmised—it cannot be accurately calculated. The best evidence,

40 Ibid., pp. 262-263.
however, would seem to indicate that these phrases, if not unstates-manlike, were at least poorly calculated in terms of their falsely radical connotations, in that they served to detract from the potential effectiveness of two great speeches and gave Seward's enemies an opening which aided them in numbering him among the radicals.

This study of Seward's speaking has led us to conclude that Seward's reputation as a radical on the slavery issue was undeserved. No where in any of his speeches, do we find any statement clearly advocating that "Higher Law" should be obeyed when it conflicts with the Constitution. Even in the March 11th speech, he maintained that the Constitution and the higher moral law were in agreement that California should come in as a free state, and admitted that California's right to statehood was so great that he would vote for her admission even if she came as a slave state. He committed himself to use no means that were not peaceful, constitutional, and lawful, to bring about emancipation. His sentiments, therefore, show no signs of being revolutionary—it was his choice of words which weakened his cause.

Sharrow feels much the same way.

Seward's reputation as a radical on the issue of slavery was largely undeserved. Although his opposition to slavery stemmed from sincere conviction and was a constant and influential aspect of his thinking, the practical steps which he would sanction to implement the opposition were moderate.41

41 Sharrow, op. cit., pp. 248-249.
Seward has often been accused of being a creature of Thurlow Weed, possessing no firm principles of his own. March of 1850 provides good evidence to dispute that claim. Weed expressed concern to Seward about the widespread and violent reaction to the "Higher Law" speech, and Seward replied on March 15, in such a way as to suggest that, if anything, he may have been too self-assured and self-sufficient to have been a fully successful machine politician.

I have just read your note; and, of course, I am satisfied that the occasion for the difference between Mr. Webster's views and my own was an unfortunate one. But it was there, and had to be met. The first element of political character is sincerity. In any event, this question is to continue through this year and longer. We know which class of opinion must gain, and which must lose strength.

Remember that my dissent on the fugitive slave question alone would have produced the same denunciation, if I had gone, on all the rest, with Mr. Webster. This thing is to go on to an end, near a revolution. While it is going on, could I, with consistency, or safety, be less bold or firm. After it shall be over, could I endure that the slightest evidence of irresolution should have been given, on my part?42

Another letter, written on March 31, is clear evidence of his sincere dedication to principle and is also most revealing in its clear statement of his faith in the ultimate triumph of those principles.

Your apprehensions of evil, from it, have given me much pain. I have reflected upon the exigency upon which I spoke, and the question which demanded examination. I have studied the criticisms upon the effort, with what abatement of self-esteem I could; and after all this, with the single exception of the argument in poor Freeman's case, it is the only speech I ever made that contains nothing that I could afford to strike out or qualify.

42Seward, 1846-1861, op. cit., p. 129.
I am not able to see how I could have defended the right, as I was bound to defend it, in any other way; or even how I could have served the Administration of the Whig party; not to say how I could have maintained my own position and character, had I spoken otherwise. I know that there is carping and caviling. But if people carp at the recognition of the fear of God as the beginning of wisdom, or the truthfulness with which I have shown the cruelty of compacts between white men to oppress black ones, what could I have said that would not have provoked more just and more severe censure? I know that I have spoken words that will tell when I am dead, and even while I am living, for the benefit and blessing of mankind; and for myself this is consolation enough. I am content that God has given me the place and the occasion; and I should be willing to close my legislative career with this honest and faithful beginning of it.\(^3\)

In sum, we might reasonably question the style of William Seward on this occasion, particularly with regard to his choice of the "Higher Law" phrase, which probably hurt his ethical proof with some elements of his audience to whom he otherwise might have appealed. But we must credit him with an excellent exposition of anti-slavery principles and with a very high degree of insight into the realities of the current political situation. Indeed, in these two aspects, the speech may well be the best of all those given by Seward, and among the most persuasive given by any anti-slavery Senator in the entire ante-bellum period. We must also acknowledge his consistently strong logical proof, which would be the natural outgrowth of his principles, his insight, and his experience in constitutional law. And last, as is apparent from the letters written to his best friend and adviser, Thurlow Weed, we must credit him on this occasion as in the Freeman case, the Adams eulogy, and the

\(^3\) Ibid., pp. 129-130.
Cleveland speech, with strong sincerity. There is no reason to question that in this speech of 1850, as in the Freeman trial, he had the courage to speak his sincere convictions confident in the ultimate triumph of his principles, without regard to any temporal abuse, rebuke, or inconvenience he might endure.

The debate on the compromise measures continued to drag, with Seward engaging in brief clashes, but refraining from another lengthy speech. He presented another address of some length on July 2d, but there is little reason for extensive discussion of that speech in the present study, since his views on California and on slavery in general are well outlined in the March 11 speech. 44 We should note, however, that the climate of the debate had changed somewhat in the interim. By July, Seward had come to be generally recognized as Taylor's spokesman in the Senate, and the defeat of the compromise seemed likely. Bancroft notes the significance of this second speech.

The importance of Seward's arguments had now become so well understood that the Senate-chamber was crowded by an eager audience. The speech was highly praised, and Seward himself reported that the compliments that it called forth were all he could have desired. It helped to keep up the courage of those who were opposed to compromise, and the President's avowed intention to meet force with force made a very discouraging outlook for the South and the followers of Clay. 45


45Bancroft, op. cit., p. 278.
July 9th, however, brought an event which drastically altered the situation in favor of compromise—the death of President Taylor. This ended the alliance which Seward had so carefully nurtured. Fillmore was a "doughface" who wanted none of the counsels of Senator Seward. The new President quickly re-constituted the cabinet, with Clay's approval and with Webster as Secretary of State. Without Taylor's support, Seward proved unable to hold the Whig party.

In spite of the death of Taylor, however, the omnibus bill, embodying the compromise components, failed to pass in the Senate. The essential elements of that bill went on to pass separately, different groups of Senators uniting on the various measures. California was admitted, in spite of the determined southern resistance. On September 11, Seward moved and spoke in behalf of an amendment providing for the compensated emancipation of slaves in the District of Columbia, but the amendment was defeated.46 The last great question in the compromise debate, a stronger fugitive slave law, was passed in the absence of many northern legislators. These members, unwilling to vote for the bill but apparently afraid to oppose it openly, were so conspicuously absent on the final vote that Thaddeus Stevens was prompted to move "that the Speaker send one of his pages to inform the members that they can return with safety, as the slavery question has been disposed of!"47


47 Seward, 1846-1861, op. cit., p. 154.
These years were relatively uneventful in the national legislature, at least as far as the great slavery issue was concerned. Seward took an active part in the short session of late 1850 and early 1851, presenting short speeches in favor of such matters as lower postage rates, homestead grants, public lands for education and internal improvement, surrendering to California the customs collected during the Mexican War, and other issues of importance but involving no major political question. This period brought graphic and pathetic examples of enforcement and mal-enforcement of the new fugitive slave law, which, true to Seward's prediction, heightened the agitation against slavery in the North.

The year 1851 also brought a test of Seward and Weed strength in New York. A measure was pending in the legislature to authorize a loan of $9,000,000 to complete the enlargement of the Erie canal. Twelve of its opponents resigned in a body to block passage of the bill. A special election was held on May 27th, and the Whig candidates, favoring the measure and supported by Seward and Weed, carried the election. Seward spent most of the summer of 1851, however, as defense counsel in a conspiracy trial in Detroit. For Seward, the year was marred by the death of his father-in-law and partner, Judge Miller.

Returning to the Senate in the autumn of 1851, Seward was joined by a number of Senators holding views similar to his own. These included Hamilton Fish of New York, Benjamin Wade of Ohio, and Charles Sumner.
of Massachusetts. Both houses, however, were dominated by Democratic majorities, and the Whigs were handicapped also by lack of unity. A major issue was the visit of Kossuth, a famous Hungarian exile. Those favoring his reception and welcome were largely anti-slavery men, while the South tended to fear him as an agitator and enemy of slavery. The controversy engendered by his visit continued for some time, with Seward making an elaborate speech on "Freedom in Europe" in 1852. He proposed resolutions protesting the invasion of Hungary and the subversion of her national independence.

Seward had been placed on the Commerce Committee, and numerous petitions and projects in this regard took much of his time during this session of Congress. In the meantime, the question of a presidential candidate was developing.

Seward and his followers were feared by the conservative elements of the Whig party. A great compromise had been passed, and the nation was peaceful and content with that compromise. How could a major party hope to succeed without supporting that compromise? Not even Seward thought that the Whigs could win in 1852 with a platform in opposition to the compromise. He and Weed hoped that the Whigs would run without a platform or without making reference to the compromise in the platform. Certainly, under the existing conditions, he did not see himself as a prospective candidate.

Leading candidates appeared to be the incumbent Fillmore, Webster, and General Scott. For a candidate to have a chance, it was
generally felt that his position on slavery would have to be vague or generally unknown, because a strong pro-slavery man would have no better hope of holding the conglomerate Whig party than an anti-slavery candidate. Scott's military service, southern origin, and his presumed support for the Compromise of 1850 suggested his availability. Seward and Weed would have been pleased with Scott's election, sans platform commitments, as they felt that he could be molded somewhat after the manner of Taylor.

The conservative Whigs, meeting in Baltimore on June 16, overruled the Sewardites and adopted a platform which favored the compromise. This resolution, while weaker than the Democratic platform, amounted to essentially the same thing. Thus it failed to appeal to the South which would accept the slightly stronger Democratic version, and it alienated the anti-slavery elements completely. Seward was totally disillusioned, even though Scott was finally nominated on the fifty-third ballot. He could see nothing but defeat, and even if Scott managed to win, Seward believed that he was a man of honor who would be bound to support the platform of his party.

In the Senate, on July 27th, Sumner offered a resolution repealing the fugitive slave law, but was not given a chance to speak in support of his proposal until August 26th. At this time he delivered a fiery four-hour speech. On the vote which followed only Chase, Hale, and Wade stood with Sumner. For once, Seward appeared to have yielded to political expediency, recognizing that his hopeless vote at this
time could only hurt the chances of his party in the coming election.

Seward debated a number of lesser issues in the Senate in the summer of 1852, including such commercial and scientific questions as the building of war steamers for harbor defense. He delivered a brief eulogy on the death of Henry Clay in that summer, as he was to do for Webster in the following December.

The election of 1852 went as Seward had feared, but the defeat was far more overwhelming than could have been anticipated. Twenty-seven states cast their ballots for Franklin Pierce, only Massachusetts, Vermont, Kentucky, and Tennessee going for Scott. The Whig party was dead on the national scene—dead of an attempt to run on the same principles as an opposition party to whom these principles were indigenous.

The congressional session of 1852-1853 was relatively uneventful. Aside from his brief tribute to Webster, Seward spoke on such matters as the Clayton-Bulwer Treaty, the Monroe Doctrine and John Quincy Adams, and a number of measures involving commerce and internal improvement. The new president was inaugurated on March 4th, and Seward enjoyed a cordial audience with Pierce.

When Congress adjourned, Seward was ready for a vacation with his family. He spent much of the summer in Auburn, but found time to deliver a dedication address for Capital University in Columbus, Ohio. He titled the message "The Destiny of America," essentially the same theme he had used so frequently in occasional speaking since at least
1844, when he presented his Union College address on "The True Greatness of our Country."

Having spoken in Columbus on September 14, he returned only to find a request for an address before the American Institute of New York. He fulfilled this request on October 20, with an address on "The True Basis of American Independence." He took the position that a republican government depends for its growth on the initiative and free enterprise of its people. For this reason, he told his audience, he was opposed to the institution of slavery.

While the slavery issue remained relatively dormant, a new party and a new issue had arisen on the American political scene. This was the issue of "America for Americans" and the party was the mysterious Native American or "Know-Nothing" party. Seward's support for the rights of foreign-born citizens dated back many years, and he came in for singular criticism by the advocates of this hyper-Americanism.

The first Monday of December, 1853, saw Congress assembled with a Democratic majority of three-fifths in the Senate and two-thirds in the House. This session opened without great fanfare, but it was to be a milestone in the slavery controversy.

The Kansas-Nebraska Controversy

Since 1844, Stephen Douglas had been attempting to open up the vast Louisiana territory to white settlement. A bill for that purpose,
without mention of slavery, had passed the House in February, 1853, but had been tabled by the Senate. In December, 1853, Dodge of Iowa, re-introduced this bill in the Senate. On January 4, 1854, Douglas reported the bill out of committees in a greatly changed form. The major change was the inclusion of the concept of popular sovereignty in regard to slavery, with the accompanying report questioning the constitutionality of the Missouri Compromise.

It was probably not Douglas' intention to reopen the slavery controversy with his bill. He merely thought that such an equivocation was the only way he could achieve enough bi-partisan support to accomplish his paramount objective of opening the territories. Senator Dixon of Kentucky, however, indicated his intention to amend the bill in such a way as to completely repeal the Missouri Compromise and declare slaves to be property which the citizen was entitled to take with him into any state or territory of the Union; and Senator Sumner indicated that he would offer an amendment to the bill declaring that nothing included therein would in any way abrogate the Missouri Compromise.

Hoping to secure bi-partisan support and avoid the headlong clash of slave and free advocates, Douglas took the bill back into his committee. He persuaded Dixon to let him include the Dixon amendment in his bill, but in such a way as to indicate that the Missouri Compromise had been superseded by the principles of the legislation of 1850. He also proposed the division of the territory into two
sections; Nebraska, which he presumed would elect to be a free state, and Kansas, which he felt would join Missouri as a slave state.

Douglas introduced the bill on January 24, hoping that it would be taken up immediately, but several Senators requested a postponement, and Douglas consented to a wait of six days. Chase and others caused an "Appeal" to be published in the newspapers, and the great Kansas-Nebraska controversy was on.

Enraged at this public opposition to his bill, which he had hoped would help him assume the "Great Compromise" cloak of Clay, Douglas made a bitter and impassioned speech in favor of the bill, arguing first, that the legislation of 1850 had substantially refuted the Missouri Compromise; and second, that in any case, popular sovereignty was right and best, even for freedom.

Seward had hoped for a relatively uneventful session of Congress, anticipating no great political questions and looking forward with some confidence to the next presidential nomination of his party. He was aware that a head-on collision with Douglas over slavery could destroy his chances. He hoped that the bill might be defeated by division in the Democratic party and by the hostility of such states as New York, Massachusetts, Rhode Island, and Ohio to the repeal of the Missouri Compromise. Thus, he initially avoided strong public commitment on the Douglas bill. But finally, on February 17, two weeks after

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49 Ibid., 275-281.
Wade, and a week after Truman Smith had taken the floor in opposition to the bill, Seward, probably with some reluctance, but unwilling to abandon his principles in the final analysis, presented his argument for "Freedom and Public Faith."^50

Seward began by reviewing the history of the Louisiana Purchase and the history of opposition to extending slavery into the territories. The latter he traced back to Thomas Jefferson's proposal in 1784, through the Ordinance of 1787, and up to the present date. He then showed how the Missouri Compromise of 1820 reaffirmed the principles of the Ordinance of 1787 and extended them into the new territories of the West. Thus, the present issue was not merely one of slavery versus freedom, which would certainly be important enough, but also one of the abrogation of long-standing public faith.

Pointing out that the introduction of even a few slaves into the territories would do as much to extend the political power of the slavery block as if the majority of the population were to be slaves, Seward moved into an analysis of the Douglas committee's various statements. He quoted from the report directly, then enumerated the inconsistencies of the committee in accurate and logical manner.

This report gives us the deliberate judgment of the committee on two important points. First, that the compromise of 1850 did not, by its letter or by its spirit, repeal or render necessary, or even propose the abrogation of the Missouri compromise; and

secondly, that the Missouri compromise ought now to be 
abrogated. And now, sir, what do we next hear from this 
committee? First, two similar and kindred bills, actually 
abrogating the Missouri compromise, which in their report 
they had told us ought not to be abrogated at all. Secondly, 
these bills declare on their face in substance that that 
compromise was already abrogated by the spirit of that very 
compromise of 1850, which, in their report they had just 
shown us, left the compromise of 1820 absolutely unaffected 
and unimpaired. Thirdly, the committee favor us, by their 
chairman, with an oral explanation that the amended bills 
abrogating the Missouri compromise are identical with their 
previous bill, which did not abrogate it, are only made to 
differ in phraseology, to the end that the provisions con­
tained in their previous, and now discarded bill, shall be 
absolutely clear and certain.

I entertain great respect for the committee itself, but 
I must take leave to say that the inconsistencies and self-
contradictions contained in the papers it has given us, have 
destroyed all claims, on the part of those documents, to 
respect, here or elsewhere.51

The inconsistencies did exist, and were inescapable. They con-
tinued to be a source of great embarrassment to Douglas and his 
committee.

Seward next maintained that even if the compromise of 1850 had 
affected the compromise of 1820, the original compromise could not have 
been repealed or changed "without a violation of honor, justice, and 
good faith." Therefore, the compromise of 1850 would be "either abso-
lutely void, or ought, in all subsequent legislation, to be deemed and 
held void."52 This does not appear to be a particularly strong line of 
reasoning. Although the compromise of 1820 had greater tradition and

51Ibid., p. 152.
52Loc. cit.
more unanimous support than the compromise of 1850, precedent would suggest that the latter act, if it really altered the former, would have stood as the current precedent. Seward's next position, however, was much stronger.

If the compromise of 1850 had really abrogated the Missouri compromise, asked Seward, why was it necessary for the current bill to reaffirm that abrogation? The fact was either true or it was not. It was unusual and unparliamentary for a bill to come begging, stooping, and pleading its causes, reasons and excuses. Moreover, noted Seward, there was no apparent connection between a compromise specifically dealing with territories acquired by purchase from France in 1803 and a compromise specifically designed to deal with those acquired by conquest from Mexico nearly fifty years later.

Seward next argued that the act of rescinding the Missouri Compromise would automatically rescind the statehood of those states which had come in under that compromise, particularly Missouri and Arkansas, and he felt sure that the Senate could not, would not want to, and should not do this. Also if the proponents of the present bill wished to regard the Compromise of 1850 as a compromise between slave-holding and non-slave-holding states, it would not be possible for a mere legislative act to extend that compromise into territories not contemplated by it or to repeal an older compromise of the same stature by the mere legislative act. This latter line of reasoning would be valid only if one could grant that the compromises were something greater than mere legislative acts. This assumption could be no more
than an expedient fiction, and Seward could hardly have afforded to
grant it for more than the sake of argument.

Seward next moved to an ingenious line of argument, designed
apparently to appeal to the guilt feelings of the Senate and to place
the pro-slavery proponents of the bill in a bad light with the secondary
audience by pointing up their hypocrisy. This consisted simply of
questioning those who presumably knew most about the Compromise of 1850—
those Senators who had helped pass it—whether any of them had contem­
plated the repeal of the Missouri Compromise when voting on the later
act. He called several by name—Senators Cass, Bell, Shields, and
Benton—and then he said:

I now throw my gauntlet at the feet of every senator now
here, who was in the senate in 1850, and challenge him to say
that he then knew, or thought, or dreamed, that by enacting the
compromise of 1850, he was directly or indirectly abrogating,
or in any degree impairing, the Missouri Compromise? No one
takes it up.53

Not content with questioning those actually present, Seward
went on to develop a pathetic argument based on references to those two
great Senators who had so recently departed the Senate. He said:

If it were not irreverent, I would dare to call up the author
of both of the compromises in question, from his honored, though
yet scarcely grass-covered grave, and challenge any advocate of
this measure to confront that imperious shade, and say that, in
making the compromise of 1850, Henry Clay intended or dreamed that
he was subverting or preparing the way for a subversion of his
greater work of 1820. Sir, if that eagle spirit is yet lingering
here over the scene of its mortal labors, and watched over the

53Loc. cit.
welfare of the republic it loved so well, it is now moved with more than human indignation against those who are perverting its last great public act from its legitimate uses, not merely to subvert the column, but to wrench from its very bed the base of the column that perpetuates its fame.

And that other proud and dominating senator, who, sacrificing himself, gave the aid without which the compromise of 1850 could not have been established—the statesman of New England and the orator of America—who dare assert here where his memory is yet fresh, though his unfettered spirit may be wandering in spheres far hence, that he intended to abrogate, or dreamed that by virtue of or in consequence of that transaction, the Missouri Compromise would or could ever be abrogated. 54

Seward next referred to the debates over the measure of 1850. If the intent of that act was to repeal the Missouri Compromise, why was much debate spent on the proposal to extend the line of that act of 1820. If repeal had been the intent, what northern senator would have voted for the act of 1850, and what southerner could have voted against it?

Seward also argued that nothing contained in the Compromise of 1850 would impair the third article of the second section of the joint resolution annexing Texas. He further pointed out the compromise guarantees that states formed out of Texas south of the Missouri Compromise line might come in free or slave as they chose, but that those created north of the line would automatically come in free. Seward concluded this portion of his speech as follows:

This article saved the compromise of 1820, in express terms, overcoming any implication of its abrogation, which might, by accident or otherwise, have crept into the

54 Ibid., pp. 152-153.
compromise of 1850; and any inferences to that effect that might be drawn from any such circumstances as that of drawing the boundary line of Utah so as to trespass on the territory of Nebraska, dwelt upon by the senator from Illinois.

The proposition to abrogate the Missouri Compromise being thus stripped of the pretense that it is only a reiteration of a similar abrogation in the compromise of 1850, or a necessary consequence of that measure, stands before us now on its own merits, whatever they may be.55

Seward's argument on this first point in his speech is logically strong and convincing. Such logical appeals rooted in a sound probability seem to have been a trademark of most of his major political speeches. The references to Clay and Webster, and the personal challenge to all members of the Senate, moreover, had elements of strong pathos, both to the immediate audience and to any prospective secondary audience.

The strength of this line of reasoning, pressed hard by Seward and others, contributed significantly to Douglas' decision to abandon the claim that the compromise of 1850 had implicitly repealed the Missouri Compromise. In reality, his speech came ten days too late for this argument to do more than emphasize the inconsistency and the absurdity of the original claim, for, according to Bancroft:

Innumerable attacks and the lack of reliable support compelled Douglas to surrender his pretension that the compromise of 1820 had been superseded. On February 7th, he offered an amendment declaring that the Missouri Compromise had become

55Ibid., p. 153.
"inoperative and void" because "inconsistent with the principles of non-intervention" recognized in 1850.

Seward felt that some of the arguments used by Douglas were more ad personam than substantive in nature. We have noted earlier that he never missed such opportunities to turn attacks upon him into an ethos building picture of martyrdom. Such was the case here.

But here the senator from Illinois challenges the assailants of these bills, on the ground that they all were opponents of the compromise of 1850, and even that of 1820. Sir, it is not my purpose to answer in person to this challenge. The necessity, reasonableness, justice, and wisdom of those compromises, are not in question here now. My own judgments on them were, at a proper time, fully made known. I abide the judgment of my country and mankind upon them. For the present, I meet the committee who have brought this measure forward, on the field they themselves have chosen, and the controversy is reduced to two questions: first, whether, by letter or spirit, the compromise of 1850 abrogated or involved a future abrogation of the compromise of 1820? 2d. Whether this abrogation can now be made consistently with honor, justice, and good faith? As to my right, or that of any other senator, to enter these lists, the credentials filed in the secretary's office settle that question. Mine bear a seal, as broad and as firmly fixed there as any other, by a people as wise, as free, and as great as any one of all the thirty-one republics represented here.

The effect of such ethical appeal upon the Senate itself can only be conjectured, but it was undeniably effective with the secondary audience at home, which was so often Seward's target audience. In this respect, Bancroft notes that:

... he preferred to manage the Whigs and to prepare speeches likely to appeal to and fascinate as large a proportion as possible of the reading public of the North. The

56 Bancroft, op. cit., p. 353.

Tribune had gone to the great trouble and expense at that time, of having the speech of May 25th (his concluding speech on the Kansas-Nebraska bill, which we shall mention later) telegraphed in full from Washington. The suburban newspapers in all parts of the North usually copied Seward's most striking passages. The speech of February 17th was translated into German, and was widely read even in western Texas. Of Seward's final protest against the bill, the Tribune's opinion was that no speech "had attracted or deserved more attention"; that "in compactness, clearness, and calmness" it had not often been surpassed; while its "hopeful, buoyant spirit under circumstances of defeat" would "inspire many anxious hearts." Congratulations were very numerous—among them many from clergymen of different denominations, and the editor of the Times in a personal letter gave it the highest praise.58

Seward went on to question the necessity and wisdom of opening up the territories at that time, particularly in regard to Nebraska. He noted the presence of eighteen tribes of Indians in that area, fourteen of which had been promised safety from the intrusion of white men. He raised the question of what to do with these tribes, and the further question as to "Who, indeed, demands territorial organization for Nebraska at all."59

Douglas had alleged that the non-slaveholding states had forfeited the right to the Missouri Compromise, because it had originally been intended that the line would extend to the Pacific Ocean, and the North had been unwilling to grant that intent which Douglas requested in the senatorial debates of 1846. Seward answered that the statute of 1820, like any other, was limited by the extent of the subject of which


Seward addressed himself on this occasion, as he had previously, to the implicit argument that extending slavery would not extend any evils thereof. He maintained that Congress had said otherwise by adopting a geographical line in the first place; and, since he could not see all of the United States free as he would prefer, he would adhere to that line.

Senator Badger, of North Carolina, had brought up the old argument that the new climates would be inhospitable to slavery. "Why, then," asked Seward, "does he want to remove the inhibition there?" 60

As we have already indicated, the committee report had re-opened the constitutionality of the Missouri Compromise. Seward felt that this argument should have been considered when the compromise was ratified, not thirty-four years later; and that the issue of constitutionality had been buried by ratification. Still, he felt obliged to address himself to the question. He used his argument, already familiar, that:

If Congress may admit, then Congress may also refuse to admit—that is to say, may reject new states. The greater include the less; therefore, Congress may admit, on condition that the states shall exclude slavery. 61

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60 Ibid., p. 154.
61 Loc. cit.
Seward denied that "democracy" contended for the principle of popular sovereignty in regard to slavery. He reasoned as follows:

To come closer to the question: What is this principle of abnegating national authority, on the subject of slavery, in favor of the people? Do you abnegate all authority whatever in the territories? Not at all; you abnegate only authority over slavery there. Do you abnegate even that? No, you do not, and you cannot. In the very act of abnegating you legislate, and enact that the states to be hereafter organized shall come, whether slave or free, as their inhabitants shall choose.62

Seward was following his now familiar pattern of deliberative speaking. He had begun by isolating the issues and refuting the arguments of his opponents. He was now prepared to develop his constructive position. He began this section of the speech with a series of appeals to the Senators of the slave-holding states. He warned them that they were opening a whole series of actions to reconsideration, and suggested that this measure, if pushed through as was being attempted, would cause many in the North to raise their voices on such issues as the fugitive slave laws, Texas, territorial laws in Utah and New Mexico, and slavery in the District of Columbia.

His warning to the slave-holding states was followed by an appeal to the free states, in which he simply maintained that they should not attempt to purchase at the price of giving up liberty in the territories. He noted, and we can hardly deny his insight here, that they had purchased peace in perpetuity in 1850; yet here were all the

62Loc. cit.
issues of slavery again. And in turning back to the slave-holders, he stated the doctrine which was to become known in 1858 as the "Irrepressible Conflict."

The slavery agitation you deprecate so much is an eternal struggle between conservatism and progress, between truth and error, between right and wrong. You may sooner, by acts of Congress, compel the sea to suppress its upheavlings, and round earth to extinguish its internal fires, than oblige the human mind to cease its inquirings and the human heart to desist from its throbtings.63

He concluded with a reference to the "Higher Law" doctrine.

"Man proposes, and God disposes." You may legislate and abrogate, and abnegate, as you will, but there is a Superior Power that overrules all your actions and all your refusals to act, and, I fondly hope and trust, overrules them to the advancement of the happiness, greatness, and glory of our country—that overrules, not only all your actions and all your refusals to act, but all human events to the inevitable result of the equal and universal liberty of all men.64

Such appeals as this, useful though they might have been in raising Seward's ethos with certain segments of the northern population, certainly did little for his cause in the Senate itself. Even those southerners who might have been ready to listen to the logic of Seward's appeals against the Kansas-Nebraska bill would have scarcely been conciliated by the concluding remarks, any more than they were pleased by the speech of March 11, 1850. But Seward knew that the cause of freedom was not to be won on the Senate floor. He had told the Whigs at

63Ibid., p. 155.
64Loc. cit.
Cleveland that what was essential amounted to a massive education program in the North. His concern with the secondary audience suggests that he considered his speeches on the subject as a part of that program or campaign. If he hoped also to educate them on the merits of William Seward as a presidential candidate, he can hardly be blamed for this. It is instructive to remember that he remained consistent in the principles, even when his advisers thought he was hurting his political future.

The *National Intelligencer* commented briefly on this speech of February 17th, noting that Seward submitted resolutions from the New York legislature, then "... rose and addressed the Senate for three hours in opposition to the bill, as well in accordance with the resolutions from his state just read as an innate conviction of its inexpediency." Nevins, recognizing the significance of this speech and commenting on Seward's eloquence, had this to say:

... he delivered on February 17th an address of nearly three hours which Everett termed magnificent. About the thin, quiet little man, with his puckered face, shaggy brows, and sepulchral voice, clung an atmosphere of the uncanny; something derived from his Welsh ancestors which suggested that he controlled occult powers. At first glance he looked insignificant, yet his quick mind, ready flow of language, broad philosophical outlook, and oracular tone fascinated his listeners ... . This speech was notable for the force with which it denied that the Compromise of 1850 had abrogated that of 1820 ... . The

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65 Daily *National Intelligencer* (Washington), February 17, 1854, XLII, Number 12, 787.
speech was also remarkable as an anticipation of Seward's subsequent utterance on the irrepressible conflict.66

It may also have been hoped by the opponents of the bill that the speeches of Seward and others could delay action long enough for the sentiments of the North to have full effect in the House of Representatives. Unfortunately, however, the bill picked up bi-partisan support and moved too rapidly for such pressures to have maximum effect. In an impassioned and eloquent speech, Douglas made a final plea for his bill, beginning at nearly midnight on March 3rd. The bill passed the Senate, thirty-seven to fourteen, a few minutes before 5:00 A.M. on March 4th. A revised version passed the House on May 22nd and returned to the Senate assured of passage.67

On May 25, Seward made a relatively short speech, which showed him obviously resigned to the passage of the bill, and which was doubtless intended for a secondary audience and for posterity.68 Aware of the fact that an eclipse of the sun was to take place on May 26, Seward made reference to this phenomenon in his introduction.

I rise with no purpose of further resisting or even delaying the passage of this bill. Let its advocates have only a little patience, and they will soon reach the object for which they have struggled so earnestly and so long. The sun has set for the last time upon the guaranteed and certain

66Nevins, Ordeal, op. cit., II, p. 140.
liberties of all the unsettled and unorganized portions of the American continent that lie within the jurisdiction of the United States. Tomorrow's sun will rise in dim eclipse over them. How long that obstruction shall last, is known only to the Power that directs and controls all human events. For myself, I know only this—that now no human power will prevent its coming on, and that its passing off will be hastened and secured by others than those now here, and perhaps by only those belonging to future generations.\textsuperscript{69}

Seward went on to recognize that the Senate, dominated as it was by pro-slavery elements, had never had any real hope of preventing the passage of the measure. The best that they could be expected to do they had done—namely delay the measure long enough to give the House time to prepare. The House had passed the measure, and the fourteen in the Senate stood powerless to do more. In this way he excused himself to his constituency and pictured himself, realistically we would judge, as having done everything he could do.

He saw the act as:

\ldots the consummation of a great national transaction—a transaction which will close a cycle in the history of our country—and it is impossible not to desire to pause a moment and survey the scene around us and the prospect before us. However obscure we may individually be, our connection with this great event will perpetuate our names for the praise or for the censure of future ages, and perhaps in regions far remote.\textsuperscript{70}

Seward went on to argue that the slave states would gain by this act and that the free states would lose from it. He noted that the

\textsuperscript{69}Ibid., \textit{Globe}, p. 768.

\textsuperscript{70}Loc. cit.
country was in a state of extreme agitation, and that this law would almost certainly lose if submitted to the people. He cited the great haste of those who advocated the bill as proof of their awareness of that fact.

He saw the contest as one involving the moral question of slavery as well as the pragmatic question of equilibrium between the free and slave states in the political arena. Seward felt that posterity would record that the legislatures of the United States, up until 1820, had consistently legislated against extending slavery into the territories whenever possible, and that the Missouri Compromise only went so far as to grant slavery certain slight extensions because of the alarming prospects of civil convulsion.

He expressed his approval of the House having removed the Clayton amendment from the current bill. If passed, the measure would have restricted the voting rights of the foreign-born in the territories.

Although defeated in the Senate, he did not consider the picture totally bleak. At most, suggested Seward, slavery would gain Kansas. The territory of Nebraska, it would appear, was uncongenial to the staples of slave culture—rice, sugar, cotton, and tobacco. He seemed unaware of the partial inconsistency with his position in the "Higher Law" speech that no climate was uncongenial to slavery.

He expressed considerable hope that even Kansas might become a free state, because slavery would have to compete with an ever-growing
flow of immigrant free labor. And so, Seward declared, in a paragraph obviously designed to inspire his northern followers:

Come on then, gentlemen of the slave states. Since there is no escaping your challenge, I accept in behalf of the cause of freedom. We will engage in competition for the virgin soil of Kansas, and God give the victory to the side which is stronger in numbers as it is in right.71

Once again Seward considered the argument that the new bill would give the inhabitants of Kansas and Nebraska a free choice in the matter of slavery. If they choose freedom, he suggested, nothing is gained, for they already had that. If they choose slavery, on the other hand, then mankind suffers a loss. He felt that the law had established no principle; it had only shown how easily one law might upset another. He warned the slave states again, that this precedent was dangerous to them. For, although he could not predict the course of the free states, it was axiomatic that they had the political power to override slavery whenever they chose.

The free states are not dull scholars, even in political strategy. When you shall have taught them that a compromise law establishing freedom can be abrogated, and the Union nevertheless stand, you will have let them into another secret, namely: that a law permitting or establishing slavery can be repealed and the Union nevertheless remain firm.72

In saying this, Seward was again showing great insight. The one thing he did not predict—and few in the North were able to measure up

71Ibid., p. 769.
72Ibid., p. 770.
to the foresight of John Quincy Adams in his prediction that slavery would go down in blood—was that the South was not willing to endure a major political defeat, as the North had proven itself able to do, and remain in the Union.

Seward reiterated the "Irrepressible Conflict" doctrine which we have already observed. Ultimately, he thought, the contest had to come back to the federal government, and must end whether with the separation of the antagonistic parties or the predominance of one or the other. He still believed that separation was impossible, and he once again appealed to the nationalism of the people.

I know that men may rave in the heat of passion, and under great political excitement; but I know that when it comes to a question whether this Union shall stand, either with freedom or with slavery, the masses will uphold it, and it will stand until some inherent vice in its constitution, not yet disclosed, shall cause its dissolution.73

Seward expresses sentiments obviously intended to encourage and guide the North, saying that he finds hope for the cause of freedom in the fact that, while slavery reigns supreme in the Senate, it depends for its support upon the Democratic party in the North; and in the North, anti-slavery sentiment among the people is strong and growing. Hence, the power of the Democrats will wane. Thus Seward observed in his concluding words:

That power will not be restored until the principle established here now shall be reversed, and a constitution

73Loc. cit.
shall be given, not only to Kansas and Nebraska, but also to every other national territory, which will be, not a tabula rosa, but a constitution securing equal, universal, and perpetual freedom.74

One could read much into Seward's speech on this occasion. It would not be unrealistic to suggest that he was outlining a plan of attack to the North—a plan in which he, incidentally, was attempting to indicate his availability and desirability to lead the charge. In any case, his speeches did have great effect in the North. We have already noted some opinions in this regard. Lothrop says that:

Seward's first speech was a simple but exhaustive statement of the whole question in all its bearings, entirely free from personalities, and with little rhetorical adornment. Its tone was one of great calmness, and its calmness made it all the more effective. It has been described as a lawyer's argument. If it were so, the jury to whom it was addressed was the people of the United States, and its effect upon them was all that Seward himself could have desired.

His words were listened to not only by his followers in New York, but they had a marked influence on all the anti-slavery Whigs in the country. The speech was translated into German, and extensively circulated among the Germans of western Texas. It probably affected the minds of more than any speech delivered on that side of this question in Congress.75

Lodge feels that Seward's claim to fame as a parliamentary orator must rest on the murky years before the war, and observes that:

There is a very even excellence in these speeches. The Kansas-Nebraska speech of 1854 is very noble and fine, and the careful and cutting attack of Pierce in 1856 is extremely

74Tbid., p. 771.
75Lothrop, op. cit., pp. 120-121; Rhodes, History of the United States, I, pp. 453-454.
effective; but selection is difficult and unfair, for the whole series deserves high rank.\textsuperscript{76}

The speeches may have had this great effect on the secondary audience, but they certainly did not prevent the passage of the Kansas-Nebraska act in the Senate, which became law by a vote of thirty-five to thirteen. Nor did the speeches secure for Seward the position of front-runner for the presidential nomination of 1856. Seward described his party status with a good deal of accuracy in a letter of May 31, when he expressed the somewhat embittered sentiments which follow:

Washington is full of Presidential election politics. Everybody is full of it, but I hardly know what to write you of all I hear, even if it were prudent to write at all. I have letters and communications of all sorts about it; the amount of all which is, that insomuch as I am too much of an anti-slavery man to be proscribed by anti-slavery men, and yet too much of a Whig to be allowed to lead, that I am in the way of great movements to make a Democratic Anti-slavery party, under Colonel Benton or somebody else, which would revolutionize the government out and out, through and through, and all at once.

Then, again, I am so important to the Whig party that it cannot move without me; but that party (i.e.), the Webster part of it, is so jaundiced toward me that I am expected to decline being a candidate right off, and go in for some other Whig candidate, and so carry the election, incontinently, for the Whig party. These different parties agree in one thing, of course, that whoever shall, by means of my magnanimity, be elected President, must have me for his chief counselor, and that I am surely to succeed him. Here is a peep behind the curtain for you. Is it not a pretty view?\textsuperscript{77}

This is probably one of the most frustrated and bitter statements of Seward's career. One can hardly blame him. Not only had he

\textsuperscript{76}Lodge, \textit{op. cit.}, pp. 32-33.

\textsuperscript{77}Seward, \textit{1846-1861}, \textit{op. cit.}, p. 231.
yet to be offered the fruits which he thought, with some justification, his party toils had earned for him, but his party had never stood firmly behind him on the great issues on which he had felt it essential to take a stand. Certainly he had done his best for the Whigs, even when they chose to run candidates and support platforms which Seward found far from ideal.

The time was ripe in America for the emergence of a new party. Indeed, the "Know-Nothings" had emerged and were growing in prominence and power, despite the fact that they refused to take the anti-slavery stand which would give the American people a clear-cut issue in the election of 1856.

The day after the passage of the Nebraska bill, thirty members of the House had met to discuss the formation of a new party. It was felt that none of the party names currently in vogue would be appropriate. Soon the name "Republican" began to be heard across the land. Meetings were held in widely scattered locales. Seward was in favor of these movements in the states, but seems to have taken little active part in them initially. He appeared content to adopt something of a wait-and-see attitude. He remained active in the Senate, opposing anti-foreign-born amendments proposed to the Homestead Bill by proponents of the "Know-Nothing" theories. He also delivered a speech to the Phi Beta Kappa Society of Yale on July 26, on the subject "The Physical, Moral, and Intellectual Development of the American People."
In the meantime, Seward was not without problems in his home state. The 1854 election left the Whigs with only a slim majority in the legislature, and showed surprising strength on the part of the "Know-Nothings" whose spokesmen promptly predicted that Seward would not be elected to return to the Senate. Among the mass of the people of New York, his stock seemed to be quite high. According to Sharrow:

There was little question of popularity among the general voters of the state. Jabez D. Hammond, the historian and acute political observer, estimated that "99 hundredths of the people are in your favor and also at least 19 twentieths Democrat electors."8

After a heated debate, Seward was returned to the Senate by a vote of 18 to 13 in the New York Senate and 60 to 57 in the House. Amid heated discussion throughout the nation over the Nebraska bill, the fugitive slave laws, the "Know-Nothing" movement, and the growing troubles in Kansas itself, Congress adjourned on March 4, and Seward returned to Auburn.

In taking a brief overview of the speaking of William Seward as we have thus far observed, we are struck by the relative insignificance of the primary audience in much of Seward's speaking. There is ample evidence to suggest that his deliberative speeches, in particular, were intended more for pamphlet and newspaper circulation than for winning the issue in the Senate. We would tend to think of his deliberative speaking as his contribution to that overall campaign of

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78 Sharrow, op. cit., p. 57; Seward Papers, Hammond to Seward, February 2, 1855.
education which he had told the Whigs in Cleveland he considered necessary.

As to the techniques which he practiced, we find his logical support and organization most impressive. He successfully located and used the available proofs, but was somewhat deficient in his style. Although much of his speeches are in clear and lucid style, and although he frequently rose to heights of eloquence relying on appeals to Protestantism, romanticism, nationalism, abolitionism, and anti-slaveryism, he was occasionally guilty, as in the "Higher Law" speech, of stating his arguments in relatively vague and abstract terms while using inflammatory phrases which served to call attention to themselves and detract somewhat from the logical content of the speech. We find him, however, consistently true to his principles, if occasionally indecisive as to the means of implementing them, and we would consider it difficult to overestimate the effect which his speaking had on the development of anti-slavery sentiment in the North. The greatest chapter of his life is yet to be observed—Chapter VI: 1855-1861: Senator Seward and the Advent of the Republican Party.
CHAPTER VI

1855-1861

SENATOR SEWARD AND THE ADVENT OF THE REPUBLICAN PARTY

The general events of the Kansas struggle are well known to the students of American history. During the summer of 1855, while Seward awaited the re-convening of Congress, more and worse news came in from Kansas. There were reports of ballot stuffing, and of other usurpations and infringements carried out by the "border ruffians."

On the 5th of June, the National Council of the "Know-Nothing" party met in Philadelphia, and adopted a pro-slavery platform. The strongly anti-slavery elements bolted, adding strength to the still feeble Republican party, but the conservative "Know-Nothings," coupled with the conservative Whigs, continued to add strength to the Democratic cause for several years.

Seward was not permitted to spend the summer in quiet vacation. He dedicated much of it to professional labors in Saratoga, Troy, Albany, and New York City. George Baker had begun his preparation of the first volume of Seward's works, and Seward was in frequent contact with him. On September 26th, with Seward and others working behind the scenes, the Republican and Whig state conventions both met in the city of Syracuse, and immediately adopted resolutions formally uniting the
parties. The Republican party was well under way in New York. Sumner and Chase, vehement anti-slavery men, were rightly regarded as the early national leaders of the new party. It was evident that a strong effort by Seward would be the most effective device for completing the amalgamation of the Whig and Republican parties in New York. It was equally evident that such an effort would be necessary if he were to aspire to the ultimate leadership of the party. With this in mind, on October 12, at Albany, Seward delivered his address on "The Advent of the Republican Party." According to Sharrow, "Despite a pouring rain, the crowd was large and stood in awe for nearly two hours as Seward spoke."

Seward began with a tribute to the capital of New York, which had "more than once sent me abroad with honorable functions." He hailed the stars and stripes over that capital, the statue of blind justice on the dome, and "the old familiar echoes" which "greet my ear from beneath these embowered roofs!" Then he said:

You old, tried, familiar friends, ask my counsel whether to cling yet longer to traditional controversies and to dissolving parties, or to rise at once to nobler aims, with new and more energetic associations! I do not wonder at your suspense, nor do I censure caution or even timidity. Fickleness in public associations is a weakness, and precipitancy in public action is a crime. Considered by itself, it is unfortunate to be obliged

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2Sharrow, op. cit., p. 67; *New York Tribune*, October 13, 1855.
to separate from an old party and to institute a new one. The new one may exhibit more enthusiasm for a time, but it must also for a time lack cohesion and discipline. The names of parties are generally arbitrary, and not at all indicative of their character or purposes. A generous man will, nevertheless, cling, as if it were a family altar, to a name that has long been a rallying cry for himself and his compatriots.

If ever Seward found himself in a position of high antecedent ethos, which he could make even higher in the invention of his speech, this was the occasion. What man had been more consistent in his anti-slavery sentiments and at the same time more faithful to the Whig party whose candidates and platforms were usually only tangentially related to those sentiments? Who, of all the leading Whigs, was more qualified or more entitled to pronounce the eulogy on that party which had commanded so much support from the anti-slavery elements of America, and failed those elements so consistently on the great questions involving the slavery issue? No one, more than Seward, had the right to declare that "The great question before us, however, is to be decided, not by feeling, but under the counsels of reason and patriotism."

With great shrewdness, Seward launched his attack not against the South, but against the slaveholders themselves, a "privileged class," an "aristocracy" of only three hundred and fifty thousand citizens. He performed a historical analysis, typically strong in its logic and disposition, reviewing how the slavery power of this class had grown in its political strength even as the size of the anti-slavery majority had been increasing. He showed how that class had demanded the establishment of the Missouri Compromise, inconsistent with the
principles of the Ordinance of 1787, then had cast that compromise aside when it no longer seemed useful to them. Then, after the slaveholders had secured the compromise of 1850,

... scarcely one year had elapsed, before the privileged class, using some of your own representatives as their instruments, broke up not only this compromise of 1850, but even the compromise of 1820 and the ordinance of 1787, and obtained the declaration of Congress, that all these settlements, so far as they were adverse to the privileged class, were unconstitutional usurpations of legislative power.

In a passage of considerable pathos, Seward boldly attacked the fugitive slave law as unconstitutional, and criticized the gag rule as well.

Nor will I draw into this picture, already too darkly shaded, the personal humiliations which daily come home to yourselves in the conduct of your own affairs. You are commanded by an unconstitutional act of Congress to seize and deliver up to the members of that privileged class their fugitive slaves, under the penalty of imprisonment and forfeiture of your estates. You may not interpose between the armed slaveholder and the wounded slave, to prevent his being murdered, without coming under arrest for treason, nor may you cover his naked and lacerated limbs except by stealth. You have fought for twenty years, and with but partial success, for the constitutional right to lay your remonstrances on the table of Congress.

Seward went on to list a long series of legislative advantages which he felt had been given to the privileged class and denied to the free states of the Union. He then concluded this argument:

I will only ask, in concluding this humiliating rehearsal, whether there is not in this favored country a privileged class; whether it does not stand on an enduring foundation; whether it is not growing stronger and stronger, while the unprivileged class grows weaker and weaker; whether its further growth and extent would not be, not merely detrimental, but dangerous; and whether there is any hope to arrest that growth
and extension hereafter, if the attempt shall not be made now? The change, that has become at last so necessary, is as easy to be made as it is necessary. The whole number of slaveholders is only three hundred and fifty thousand, one-hundredth part of the entire population of the country. If you add their parents, children, immediate relations and dependents, they are two millions—one fifteenth part of the American people. Slavery is not, and never can be perpetual. It will be overthrown, either peacefully and lawfully, under this constitution, or it will work the subversion of the constitution, together with its own overthrow. Then the slaveholders would perish in the struggle. The change can now be made without violence, and by the agency of the ballot-box. The temper of the nation is just, liberal, forbearing. It will contribute any money and endure any sacrifices to effect this great and important change; indeed, it is half made already.

Thus far, Seward had followed a standard deliberative organization for his speech. If we were to use the language of Alan Monroe in his Principles and Types of Speech, Seward had obtained the attention of his audience, identified with and conciliated them, while attempting to maintain high ethos, and presented a need for a change. The next logical step would be a plan, solution, or satisfaction step. Seward had one. It was a step which would be, consistent with his earlier declarations in the Senate, constitutional, legal, and non-violent.

The will exists, because the evil has become intolerable, and the need of a remedy is universally acknowledged. What, then, is wanted? Organization! Organization! Nothing but organization.

Shall we organize? Why not? Can we maintain the revolution, so auspiciously begun, without organization? Certainly not. Are you apprehensive of failure, because the revolution is not everywhere and at all times equally successful? Was there ever a revolution that was equally successful at all times and everywhere? Certainly not. Do you say that you cannot abolish slavery in the privileged states? We have no need, no purpose, no constitutional power, no duty to do so.

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Providence has devolved that duty on others, and the organic law leaves it wisely to them. We have power to avert the extension of slavery in the territories of the Union, and that is enough.

The organization, according to Seward, had to be a national organization, for "The evil is a national one." It had to be open to all classes of man excluding none. It had, also, to be bold, out-spoken, and free-spoken.

Seward's contemporaries knew that he had frequently declared himself in favor of sticking with the well-established political organizations and working from the inside to bring about the adoption of great principles. Certainly his speech at Cleveland in 1848 had committed him to that doctrine. To maintain his ethos, he had to reaffirm his commitment to that doctrine, and at the same time justify a new party. He did so by first establishing his criteria for the necessary political organization and then arguing as follows:

It is best to take an existing organization that answers to these conditions, if we can find one; if we cannot find one such, we must create one. Let us try existing parties by this test.

Seward first examined the "Know-Nothing" movement. He found it to be sectional, exclusive, and more often a friend of slavery than of freedom. He concluded, "Let it pass by." The same was true of the existing Democratic party. He felt that even if that party were to be re-united it would be nothing more than

... the same party which has led in the commission of all those aggressions, save one, and which urged, counseled and cooperated in that, and claims exclusively the political benefits resulting from it? Let the Democratic party pass.
Finally, Seward turned to the great question of the hour:

Shall we resort ourselves to the Whig party? Where is it? Gentle shepherd, tell me where! Four years ago it was a strong and vigorous party, honorable for energy, noble achievements, and still more for noble enterprises. In 1852, it was united and consolidated, and moved by panics and fears to emulate the Democratic party in its practiced subserviency to the privileged class, and it yielded in spite of your remonstrances and mine. The privileged class, who had debauched it, abandoned it, because they knew that it could not vie with its rival in the humiliating service it proffered them; and now there is neither Whig party nor Whig, south of the Potomac.

How is it in the unprivileged states? Out of New York, the lovers of freedom, disgusted with its prostitution, forsook it, and marched into any and every other organization. We have maintained it here, and in its purity, until the aiders and abettors of the privileged class, in retaliation, have wounded it on all sides, and it is now manifestly no longer able to maintain and carry forward, alone and unaided, the great revolution that it inaugurated. He is unfit for a statesman, although he may be a patriot, who will cling even to an honored and faithful association, when it is reduced so low in strength and numbers as to be entirely ineffectual amid the contests of great parties by which republics are saved. Any party, when reduced so low, must ultimately dwindle and dwarf into a mere faction. Let, then, the Whig party pass. It committed a grievous fault, and grievously hath it answered it (an interesting allusion to Shakespeare here). Let it march out of the field, therefore, with all the honors.

Seward pictured the Republican party as the rallying ground for the dissatisfied members of all the other current parties. He felt that:

The principles of true democrats and the principles of true Whigs remain the same throughout all changes of parties and of men, and, so far as they are sound, they are necessarily the same. Such true democrats and true Whigs are now ready to unite on those sound principles common to both. Neither of these two classes can or ought to insist on forcing a defective organization, with a stained banner upon the other. The republican organization has sagaciously seen this, and magnanimously laid a new, sound and liberal platform, broad enough for
both classes to stand upon. Its principles are equal and
exact justice; its speech open, decided and frank. Its
banner is untorn in former battles, and unsullied by past
errors. That is the party for us. I do not know that it
will always, or even long, preserve its courage, its modera-
tion, and its consistency. If it shall do so, it will rescue
and save the country. If it, too, shall become unfaithful,
as all preceding parties have done, it will, without sorrow
or regret on my part, perish as they are perishing, and will
give place to another truer and better one.

We have seen attention, need, satisfaction, and visualization
("if it shall do so, it will rescue and save the country") in this
speech. Only one step of Monroe's "motivated sequence" remains to be
fulfilled—the concluding appeal, or action step. Seward provided this
in the form of an ethos-building declaration of personal intent:

So long as the Republican party shall be firm and faithful
to the constitution, the Union, and the rights of man, I shall
serve it with the reservation of that personal independence
which is my birthright, but, at the same time, with the zeal
and devotion that patriotism allows and enjoins. I do not
know, and personally I do not greatly care, that it shall work
out its great ends this year, or the next, or in the next, or
in my lifetime (the similarity to those well-known lines from
Kennedy's inaugural is interesting to note here); because I
know that those ends are ultimately sure, and that time and
trial are the elements which make all great reformations sure
and lasting. I have not thus far lived for personal ends or
temporary fame, and I shall not begin so late to live or labor
for them. I have hoped that I might leave my country somewhat
worthier of a lofty destiny, and the rights of human nature
somewhat safer. A reasonable ambition must always be satisfied
with sincere and practical endeavors. If, among those who shall
come after us, there shall be any curious inquirer who shall
fall upon a name so obscure as mine, he shall be obliged to con-
fess that, however unsuccessfully, I labored for generous ends,
yet that I nevertheless was ever faithful, ever hopeful.

Again Seward had used the same word in self-description which
he had previously employed in the conclusion to the Freeman speech—the
word "faithful." The phrase "He was faithful" is the simple eulogy inscribed on Seward's tombstone today. This inscription, although Seward probably did not perfectly fulfill it, is as well or better deserved by him than by any other statesman of the ante-bellum period. If he was ambitious, this trait was similarly shared by Webster, Calhoun, and Clay. If he left his party, he was among the last to do so, and he led thousands of anti-slavery Whigs into the new Republican party with him, remaining always dedicated to his anti-slavery position. One finds, in short, a great deal of "faithfulness" in the speaking and the life of William Seward.

It is impossible to assess the effect of this particular speech, or even realistically to evaluate it as a work of art, without considering its companion speech, "The Contest and the Crisis," delivered at Buffalo on October 19, one week later.4 As Seward unfolded his theme in this speech, he made it quite evident that his plea for patience was completely gone. So, too, were the words of quiet optimism which he had expressed in Congress in 1854. Here was a call to arms, a plea to run up the battle flag of a new party in the quest of an old cause.

Ye good men of Erie! The Republican party is sounding through all our borders a deep-toned alarm for the safety of the constitution, of Union, and of liberty. Do you hear it? The Republican party declares, that by means of recent treacherous measures adopted by Congress and by the president of the United States, the constitutional safeguards of citizens,

4Speech is found in Baker, Works, op. cit., IV, pp. 240-253.
identical with the rights of human nature itself, are undermined, impaired, and in danger of being overthrown. It declares that if those safeguards be not immediately renewed and restored, the government itself, hitherto a fortress of Republicanism, will pass into the hands of an insidious aristocracy, and its batteries be turned against the cause which it was reared to defend.

Seward maintained that the Republican party was new only in name. Its policy of discouraging the extension of slavery into the territories was the policy of "Jay, Madison, Jefferson, and Washington." Therefore, "... the Republican party is not a party of yesterday, it is also not merely a party of today, but a durable, perpetual organization." He reiterated the theme of the need brought about by the aggressions of the slavery power. He feared that, in the present situation, the confusion of so many conflicting and divergent movements, coupled with the natural inertia of the masses, might lead to the neutrality of many citizens. He warned his audience that:

Where there are no great parties, there are either many small factions, or no parties or factions whatever. A state that surrenders itself to the confused contests of small parties or factions, is sinking inevitably toward despotism. A state that has no parties or factions at all is a despotism already.

In any great conflict, thought Seward, one side must be absolutely or relatively right, the other side wrong. A policy of neutrality could not be maintained by the citizen who was concerned with the welfare and safety of the body politic. And the side of right in the present struggle, Seward declared to be self-evident. He saw three classes of people in the United States—slaveholders, non-slaveholders,
and slaves. The third class had no say, and the first was the class aggressing against the freedom of the other two.

Seward also felt that there were certain immediate examples to demonstrate the seriousness of the conflict. The most striking, of course, was the problem of Kansas. Was not Kansas entitled to freedom? Had she not been promised freedom in 1820 and, if she wanted freedom, been guaranteed the right to so indicate by the bill of 1854? Had not the slaveholders broken their first pledge in 1854, and were they not in the process of breaking the new pledge in the current Kansas struggle?

On which side, then, are justice, equality, and freedom? Answer me, as you will expect to answer at the bar of the public opinion of mankind.

The threat of disunion was one of the many fears which the South had consistently used to work its will in the North. Seward, in 1855, still did not believe in this threat.

The apologists of slavery, thus met, change front suddenly, and ask us whether it is safe to brave these menaces of disunion. I answer—Yes, yes! Interests of a thousand kinds—material, social, moral, and political—affections springing from the very constitution of our nature—bind us non-slaveholders to this Union. The slaveholders, in spite of all these threats, are bound to it by the same bonds, and they are bound to it also by a bond peculiarly their own—that of dependence on it for their own safety. Three millions of slaves are a hostile force constantly in their presence, in their very midst. The servile war is always the most fearful form of war. The world without sympathizes with the servile enemy. Against that war, the American Union is the only defense of the slaveholders—their only protection. If ever they shall, in a season of madness, secede from the Union and provoke that war, they will—soon come back again.
Seward seems to have had great faith in the power of nationalism to hold the South in the Union. We can hardly blame him for believing in the probability of servile insurrection in the South, as this belief seems to have been shared by many. Seward also apparently believed in the idea that the politicians of the South did not fully represent the sentiments of the southern masses. A rational man himself, he did not believe that the passionate threats of disunion could ever be carried out in moments of rationality. In developing this argument, he said:

No man, heated by the passion or the spirit of controversy, can safely pledge his future conduct. Reason will decide that for him, when the contemplated emergency shall have come.

As for the slaveholders themselves, Seward knew "many of them well" and "I never knew a disloyal man amongst them." But even if the threats of disunion turned out to be real,

... are we always to submit to threats instead of arguments—to refer everything to the umpirage of passion—to surrender everything to those who hold us in duress by our fears? If this is to be the rule, how long shall we have anything valuable, in policy, justice, equality, or freedom to surrender?

Seward felt that the present contest was important in the local elections as well as in the national one. It had already been proven that a majority in the national legislature was of no value, "unless you instruct, support and maintain them at home."

Seward concluded this speech with strong appeals visualizing the possible effects of the aggressiveness of slavery. He saw it expanding
in the West to cut off the free states from the Pacific coast, and gaining ultimate dominion over the republic—even returning to those states which once had slavery and had now repealed it. What would be the effect? Suppose that New York had never thrown off the cloak of slavery, and were today a slave state?

Go ask Virginia—go ask even noble Maryland, expending as is a giant's strength in the serpent's coils, to show you her people, canals, railroads, universities, schools, charities, commerce, cities, and cultivated acres. Her silence is your impressive answer.

Once more: Spaniards planted slave states in America; England planted not only slave states but free ones. Spain planted twice as many as England, and cultivated them with more assiduous and maternal care. The Anglo-American free states are all of them strong and vigorous, and already overshadow the continent.

Once Seward had decided upon his course of action, there was nothing equivocal in his declaration of that course. Like all of his speeches, these two were marked by solid logic and effective organization. He began the speeches with strong antecedent ethos, and used his position to build artistic ethos in the speeches. Some of his passages have strong pathetic content, but most of the strength of these two speeches lies in their logical appeal. Yet, despite its overall force, the logic contained one glaring weakness—Seward's apparently unshakeable faith that there could be no disunion. As we have previously observed, this is at least partially due to his heavy reliance on rationality in the conduct of his own affairs. He could see so many compelling reasons why the slave states should not leave the Union, that he could hardly conceive of their leaving as a result of a mere political defeat. As
Bancroft describes Seward's reasoning:

His mind rarely had any conception of failure, either before or after the fact. He was so plausible in his reasoning that he could always convince himself, and many others, that his means and his motives were the best.5

Certainly in taking the stand he did in 1855, he convinced many others. Bancroft, in summarizing Seward's effectiveness on these occasions, dedicated two long paragraphs to the importance and intent of the orations.

In some respects, these speeches were the boldest and most extreme of Seward's whole life. There was no suggestion that he was not an agitator, or that he discussed the question of slavery only when it was brought before him in due course of legislation. Now the fugitive-slave law—the most offensive part of the compromise that, as he had boasted, he had not offered to repeal—was denounced as unconstitutional. There was not even a hint that the Whig party was the party of freedom, or that a third party was a practical impossibility. Now he enunciated the true doctrine that no party should be tolerated after it had lost "its courage, its moderation, and its consistency." He had become an agitator, indeed, and one of such force and keenness and passion that many a Garrisonian must have envied him. But how, otherwise, could he expect to spring from crumbled authority among the disorganized Whig ranks in the rear to the supreme command of the attacking column of the Republicans?

These speeches created a great political sensation. It was not to the meagre company at Albany nor to the large crowd at Buffalo that Seward's remarks were chiefly addressed. He spoke to the whole country—to the North, that she might understand the danger and unite under his leadership—to the South, that she might know that her course was to be resisted. Countless northern newspapers, as had now become their practice, reprinted these speeches, or long quotations from them; so that every intelligent man in the free states was familiar with their declarations. The Republicans were jubilant over them.6

5 Bancroft, op. cit., pp. 295-297.
6 Ibid., pp. 393-394.
Lodge viewed the speech at Albany to be "one of his greatest political speeches." Seeing Seward's hesitancy to leave the Whigs in a slightly different light than does Bancroft, Lodge notes:

... he opposed third-movements, and he maintained his party standing because he deemed it the most efficient weapon he possessed for the successful advancement of a cause which he placed above party. From such motives he refused to leave the Whigs, although he held quite as radical views about slavery as the Free Soilers in 1848 and 1852. Thanks to his sanguine temperament, he continued to hope that the Whigs could be made the party of freedom; but when that party perished, not in the least through the third-party action, but by the operation of the slavery question and by its own inherent vices, no one recognized the dissolution more quickly than Seward. In 1855 the time had come for him to move, and then was seen the force of his position. He marched not alone, but with thousands at his back, and wielding greater influence than ever, to join the ranks of the Republicans, who sprang at once to the front, not as a third or fourth faction, but as one of the two great political divisions of the country. In this way the overthrow of slavery was made certain, and in no other manner could it have been brought about.7

It seems plausible for these speeches to be regarded as among the most immediately effective of any given by Seward. From a personal perspective, they brought him immediately to the forefront of Republican leaders. From the perspective of the party, they probably went a long way toward consolidating its gains in the state of New York and throughout the nation. This, in turn, was undoubtedly influential in gaining the Republicans a large vote in 1856, which provided the encouragement necessary for them to work diligently for the victory which became

7Lodge, op. cit., pp. 29-30.
theirs in 1860. According to Bancroft:

Chase was the great light in the West, and Sumner was still growing in popularity in the East. But Seward had a much larger audience than either. The man that had satisfied such radicals as Sumner, Clay, Parker, and Phillips was none too conservative for the Republican party. Excepting the "Silver-Gray" faction—rapidly declining in significance—Seward and Weed had carried the whole state Whig party with them into the Republican ranks. The transformation had been made so suddenly and so well that the moment Weed ceased to be the manager of the New York Whigs he became the manager of the New York Republicans, although it was some time before his supremacy was so absolute. The very journals that had formerly given prominence to every act and word of Seward the Whig, now gave equal prominence to Seward the Republican.8

One question continues to haunt us. Although it was only natural that Seward's utterances would brand him as the enemy of the South, why was he continually pictured, as the Republican party itself was portrayed, as dedicated to the overthrow of the institution of slavery within the states where it already existed? Although he avowedly hoped to see slavery fall of its own weight, Seward never ceased to declare himself in favor of only constitutional and non-violent means. At Albany and elsewhere, he specifically indicated that he had no intention of interfering with slavery in the states where it existed, and he committed the Republican party to the same principle. Lodge thinks that:

... Seward was so temperate, so reasonable, so lucid, and at the same time held such a commanding position before the country from 1850 to 1861 that his speeches must be regarded as the best authority for the wishes and intentions

8Bancroft, op. cit., pp. 396-397.
of the masses of the Republican party at that period. Any one ought to be well satisfied to let the case of the North and of freedom go to the tribunal of history on Seward's presentation; and there is nothing which shows more clearly the absolute criminality of the slave-ridden South in plunging the country into war than the fair, vigorous, and courteous exposition of anti-slavery principles and purposes which was made by the New York senator.9

It is probably, however, Bancroft, in writing about the "Higher Law" speech, who gives the best assessment of how Seward must have appeared in the eyes of the South:

It was to be expected that Seward would be hated by the pro-slavery zealots, for he was not merely an anti-slavery man with rapidly widening influence, but he was also a party leader of consummate skill. Withal he seemed to them to be a sort of political wizard, he was so imperturbable, so complacent, yet so alert and powerful.10

Sharrow feels that the Republican party had the difficult task of establishing that it was a national party, a reform party, a moral and crusading movement, and that it could win an election without bringing about disunion. In this regard, he feels that Seward rendered immeasurable service through his speaking.

During his first year in the Republican party Seward provided vital services for the party in its efforts to convert the North through a massive campaign of political re-education . . . . He provided these services by means of speeches which were printed and distributed broadcast throughout the North. His speeches offer a case study of the arguments, rhetoric, and

9Lodge, op. cit., p. 8.
10Bancroft, op. cit., p. 252.
technique employed by the Republican party to establish itself as a major political force.\textsuperscript{11}

This is a most astute observation. To our way of thinking, Sharrow has focused on an essential feature of Seward's speaking—wide distribution of printed speeches to a secondary target audience with the goal of conversion and education. This was true of his speaking before the Republican party came along—this party merely provided Seward a better vehicle for advocacy of his principles.

Although these two speeches and others like them had an immediate and growing effect, the Republicans carried only the northern and western portions of New York in the state election of 1855. The "Know-Nothings" were the majority party in the legislature, the Democrats having a slightly smaller representation and the Republicans even fewer, but enough to clearly establish their existence. A similar situation prevailed in most of the northern states, with the Republicans expanding their influence everywhere, and sweeping Vermont and Ohio. Seward was not disappointed, feeling, as he indicated in a letter that:

\[\ldots\text{it is something that the Administration and the Democrats are weaker than the Republicans, and that the "Know-Nothings" will inevitably disappear in the heat of the great national contest.}\textsuperscript{12}\]

\textsuperscript{11}Sharrow, op. cit., pp. 72-73 and 73-83, passim.

\textsuperscript{12}Seward, 1846-1861, op. cit., p. 258.
Once again, Seward proved to be a good political prophet, for the election of 1856 was to show the strength of the new party effectively. But in the autumn of 1855, Senator Seward was to go to Washington knowing that he lacked the support of his home legislature.

When the Senate convened on December 1, it was quite a different group from the one Seward had entered in 1849. Only fourteen of the sixty who had sat with him at that time remained, and, while the Democrats held their majority, the number of anti-Nebraska men was impressive. The House was even more fully re-constituted. There were some seventy-nine administrative supporters compared to one hundred seventeen anti-Nebraska men. The "Know-Nothings," however, were strongly in evidence, and the anti-Nebraska members of that group were not fully willing to unite with the Republicans. Thus, one hundred and thirty-four ballotings for the Speaker delayed the President's message and the normal functioning of the Congress.

The President was determined not to wait beyond the end of the year to send in his message. The address, when read, contained obvious attempts to refute Seward's claims that the South had gained substantially through the partisanship of the general government.

Reports of the Kansas struggle, which had rapidly become an armed conflict, continued to come in. On the 24th of January, President Pierce requested what amounted to military powers in regard to Kansas, in a message replete with poignant attacks on the Emigrant Aid Societies of the North and the Free State Convention at Topeka. Seward and others
set about the old strategy of delaying Senate action until the House could organize.

Finally, on February 2d, 1856, the House elected the first Republican speaker in its history. Its next major item of business was the contested Kansas seat, the contest being between the pro-slave Whitefield and free state ex-Governor Reeder, who had been turned out of office by Pierce. In the Senate, on March 17, Douglas reported a bill providing for the admission of Kansas when she reached a population of 93,420, and submitted a constitution. Seward offered a substitute providing for the immediate admission of Kansas under the free-state constitution already adopted. On April 9, he spoke at length in favor of immediate admission.\footnote{U. S., Congressional Globe, 34th Congress, 1st and 2nd Sessions, Appendix, 399-405.}

This address violated, to some extent, a long-standing principle of Seward's. He had always made it a policy never to engage in personal allegations in debate, but in this speech he attacked Pierce, not in his personal but in his public capacity, as the official most responsible for the problems in Kansas. The speech was probably, at least to some degree, Seward's announcement of his ill-fated candidacy for the presidential nomination of 1856.

Like many of his addresses, this one began with a historical review. Alleging that Kansas met both constitutional qualifications for statehood—"a substantial civil community, and a republican government"—
Seward reviewed the history of Kansas and of "these high-handed transactions which were consummated with the expressed purpose of establishing African slavery as a permanent institution within the territory by force, in violation of the natural rights of the people solemnly guaranteed to them by the Congress of the United States." And he added in unequivocal terms:

The president of the United States has been an accessory to these political transactions, with full complicity in regard to the purpose for which they were committed. He has adopted the usurpation, and made it his own, and he is now maintaining it with the military arm of the republic. Thus Kansas has been revolutionized, and she now lies subjugated and prostrated at the foot of the president of the United States, while he, through the agency of a foreign tyranny established within her borders, is forcibly introducing and establishing slavery there, in contempt and defiance of the organic law.\[14\]

There was no doubt as to Seward's intent here. No Senator addresses himself in this manner about the president if he hopes to court favors from the administration. Seward was calling the issue as he saw it, as he wished the party to see it, and as he wished to have the people see it in the coming election. Moreover, from the vantage-point of hindsight, the rhetorical critic must credit him with seeing the situation much as it existed.

Seward proceeded to develop his indictment in detail, first calling upon the territory of Kansas as his principal witness, then referring to Pierce's messages to Congress to show that "... the...

\[14\]Ibid., p. 399.
president's mind was oppressed—was full of something, too large and burdensome to be concealed, and yet too critical to be told." In making his attack upon Pierce, Seward carefully interwove virtually irrevocable proofs, quoting the pro-slavery partisans and newspapers of Kansas and Missouri themselves to prove one great point—that Kansas had been subjugated to a pro-slavery legislature by ineligible voters and territorialist techniques. Then he said:

The gathering conflict in Kansas divides the sympathies, interests, passions, and prejudices, of the people of the United States. Whether, under such circumstances, it can be circumscribed within the limits of the territory of Kansas, must be determined by statesmen, from their knowledge of the courses of civil commotions, which have involved questions of moral right and conscientious duty, as well as balances of political power. Whether, on the other hand, the people of Kansas, under these circumstances, will submit to this tyranny of a citizen of the United States like themselves, whose term of political power is nearly expired, can be determined by considering it in the aspect in which it is viewed by themselves. Speechless here, as they yet are, I give utterance to their united voices, and holding in my hand the arraignment of George III, by the Congress of 1776, I impeach—in the words of that immortal text—the president of the United States.16

Seward proceeded to quote at length the charges listed in the Declaration of Independence, occasionally inserting a phrase relating these charges directly to the conduct of Pierce in regard to Kansas. Finally, on the basis of the case presented, he pointed out:

The conviction of the offending president is complete, and now he sinks out of view. His punishment rests with the people of the United States, whose trust he has betrayed. His conviction was only incidental to the business which is the order of

15 Ibid.
16 Ibid., p. 403.
the day. The order of the day is the redress of the wrongs of Kansas . . . .

Once a state, the people of Kansas can preserve internal order, and defend themselves against invasion. Thus, the constitutional remedy is as effectual as it is peaceful and simple.

This is the remedy for the evils existing in the territory of Kansas which I propose. Happily there is no need to prove it to be either a lawful one or a proper one, or the only possible one. The president of the United States and the committee on territories unanimously concede all this broad ground, because he recommends it, and they adopt it.17

Seward found no basis, constitutional or otherwise, for waiting until 93,420 residents inhabited Kansas. Any irregularities involved in admitting her at the present time had also existed in the admission of California and Texas. Kansas was necessary to the advancement of the American nation. "The territory of Kansas lies across the path through which railroads must be built, and along which such institutions must be founded, without delay, in order to preserve the integrity of our empire."18

How could Congress refuse to admit Kansas immediately?, asked Seward.

The Congress of the United States can refuse admission to Kansas only on the ground that it will not relinquish the hope of carrying African slavery into that new territory. If you are prepared to assume that ground, why not do it manfully and consistently, and establish slavery there by a direct and explicit act of Congress?19

17Ibid., p. 404.
18Ibid.
19Ibid., pp. 404-405.
Seward felt that slavery could not be forced on the territory, for:

Even if slavery were, what it is not, a boon to the people of Kansas, they would reject it if enforced upon their acceptance by federal bayonets. The attempt is in conflict with all the tendencies of the age. African slavery has, for the last fifty years, been giving way, as well in this country as in the islands and on the mainland throughout this hemisphere. The political power and prestige of slavery in the United States are passing away.20

Slavery, said Seward, depended for its present control on the cooperation of northern Senators. If the South wished to be adamant in its present course:

You will need many votes from free states in the house of representatives, and even some votes from those states in this house, to send an army with a retinue of slaves in its train into Kansas. Have you counted up your votes in the two houses? Have you calculated how long those who shall cast such votes will retain their places in the national legislature?21

Seward appealed to the Senators of the free states not to acquiesce in such a measure. This had become a pattern of his Senate speaking. He would warn the slave states of the folly of their course, and of all the problems with which it would be fraught, and appeal to the free states to stand united. And his next argument had also become one of his commonplaces—that neither slave nor free states would really leave the Union—that threats of disunion must be met head on, relying on the good judgment of all the parties.

20Ibid., p. 405.
21Ibid.
Seward concluded with an appeal relying for its pathetic effect on reference to patriotic tradition:

The continental Congress of 1787, on resigning the trust which it had discharged with signal fidelity, into the hands of the authorities elected under the new constitution, and in taking leave of their constituents, addressed to the people of the United States this memorable injunction: "Let it never be forgotten, that the cause of the United States has always been the cause of human nature." Let us recall that precious monition; let us examine the ways which we have pursued hitherto, under the light thrown upon them by that instruction. We shall find, in doing so, that we have forgotten moral right in the pursuit of material greatness, and we shall cease henceforth from practising upon ourselves the miserable delusion that we can safely extend empire, when we shall have become reckless of the obligations of eternal justice and faithless to the interests of universal freedom.22

Seward's biographers have high praise for this speech. Bancroft feels that:

This was one of Seward's greatest political discourses. The Republicans in the House, not having a clear majority, had shown a disposition not to try to overthrow the territorial government. Apparently Seward's aim was to inspire them with courage, to make the issue clear and sharp and popular, under his leadership . . . . The excitement of the hour and the hazard of his plan made it more heated and popular than any he had ever delivered. Sumner gave it the highest praise, and nothing that Seward had done before interested so large a number of persons.23

Lothrop also praises the speech warmly. He seems to regard this as one of Seward's greatest political efforts.

The speech was the masterly argument of a statesman. If he sometimes showed a fondness for philosophical generalization and theorizing, there was nothing of that here; it was

22Ibid.
an eminently practical speech. Any remedy, other than that which he urged, was at the best doubtful. Any plan authorizing the calling of a new convention, and the formation of a new constitution, because of defects or uncertainties about the one adopted at Topeka, must be carried out by the authorities actually in power in Kansas, the creatures and tools of the border ruffians who elected them, and under the supervision of an administration whose partisan character and absolute disregard of justice and the pledges of the organic law of the Territory had already been abundantly manifested. But the truth was, as Seward suggested, that neither the administration nor the South was prepared to relinquish one inch of the advantage which slavery had gained in the Territory . . . .24

Lothrop also shows an awareness of the fact that Seward had planned this speech, like many of his others, to be a part of an educational campaign directed at the secondary audience. As such, Lothrop considers it a very effective contribution.

The debate on Kansas continued till the close of the session in August: it resulted in no legislation; but the speeches of the opposition, circulated by hundreds of thousands all over the North had an immense effect in forming and stimulating public opinion, and produced a reaction even in Congress.25

Sharrow shares this opinion held by Lothrop.

Although the speech did not result in the admission of Kansas nor prevent House Republicans from supporting the territorial appropriation bill, it did produce the desired effect of rousing northern opinion.26

25Ibid., p. 162.
26Sharrow, op. cit., p. 106.
The National Intelligencer observed that this speech did receive considerable attention from the immediate audience, whether or not it changed any votes.

Mr. Seward, who was entitled to the floor, addressed the Senate until 4:00 P.M., and was listened to with marked attention from the commencement to the close of his speech . . . .

In the Senate Mr. Seward presented his views at great length on the Kansas question, in a speech remarkable for its clearness of statement and earnestness of delivery.27

Nevins, while similarly impressed with Seward's effort in this speech, did not feel that Kansas should have been admitted under the Topeka constitution. According to him:

The speech of Seward, much better than his bill, and indeed one of the most masterly of his career, was partly a stern rebuttal of all Pierce's arguments in his special message, and partly a harsh indictment of the Administration, the Missourians, and the pro-slavery forces generally for their injustices to Kansas. An earnest, deliberate, impressive delivery added to the force of the address.28

It would seem, then, that the speech gained considerable attention with the immediate audience, but that its greatest effect was with the secondary audience. The Senate gave no legislative relief to Kansas. They did pass a bill proposed by Senator Toombs of Georgia; a bill which Seward attacked in a second speech, delivered on July 2. Seward's general views on Kansas are so completely presented in the speech of April 9, just analyzed, that a consideration of the second

27 Daily National Intelligencer (Washington), April 10, 1856.

speech would serve no useful purpose here. The Toombs bill was re-
jected by the Senate. All the while, the Senate speeches, the Kansas
struggle itself, and the generally unfavorable publicity resulting,
were working to harden northern opinion and weaken the cause of the
South.

With the presidential nominations of 1856 coming on, Seward
found, for a number of reasons, that things were not going as well as
he might have hoped. For one thing, since 1854 when he had become per-
turbed at not having been given some political office by Weed and
Seward, Horace Greeley had become lukewarm in his support of Seward.
In 1855, Greeley began to support the "available" and romantically
well-known John C. Fremont. Weed, not confident of a Republican victory
in 1856, refused to help Seward push his candidacy. And most important
of all, the Republican organization was depending rather heavily upon
obtaining the support of the dissident "Know-Nothings." Seward, as we
have previously observed, had vehemently opposed the "Know-Nothing"
movement, and was "unavailable" to this element of the Republican amal-
gamation. Finally, the left-over Whig elements strongly favored Judge
John McClean and opposed Seward. Only with the anti-slavery element
was his support secure, and there he had to share it with Chase,
Sumner, and others.

Without Weed's support, and with Greeley's opposition, Seward
found himself helpless to resist the tendency for the opposing groups
to unite on the "available" Fremont. Ultimately, Seward reached the
conclusion that this was not a propitious time for him to make his bid. He was reasonably certain that he could not secure the nomination, and uncertain as to the success of the party in the general canvass. On the formal vote at the convention, Fremont was nominated by a landslide. At the same time, although Seward had feared that he could not have supported the platform of the party if he were nominated, the Republicans adopted a Seward platform—its major principles being the exclusion of slavery from the territories and the immediate admission of Kansas under the Topeka constitution. It is interesting to note that at least one significant historian, Nevins, feels that Seward could have taken the nomination.

"There is little doubt," argues Nevins, "that if Seward had desired the nomination and his friends had made a determined fight for it, he could have borne off the prize." Whether or not Seward could have obtained the nomination, or how he would have done in the election, can never be fully determined. In any case, he chose not to try.

The Democrats, fearful of having to defend Pierce’s conduct of the Kansas situation, although he had acted with the blessing of his party, chose to nominate Buchanan for the presidency. The bad image being created by the Kansas struggle mitigated in favor of their adopting a peaceful platform. Thus they were content to promise only to resist attempts in Congress at the renewing of the slavery controversy,

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29 Ibid., pp. 463-464.
and to oppose congressional interference with slavery in the terri-
tories or in the District of Columbia. This platform served the dual
purpose of offering "peace" to the people and of hinting that the
Republicans were the party of agitation and aggression.

The election of 1856 was a doubtful contest. The "Old Whigs"
were running Fillmore. The Democratic party had lost control in the
North because many of its free-soil elements had joined with the
Republicans. The "Know-Nothings" were losing strength, but were still
a formidable element. And in the South, there was a more solid Democrat
front than ever before.

Seward labored hard in the canvass, supporting, at last, a party which had not chosen him as its standard bearer, but which was
committed to his ideas and principles. In a speech at Detroit on "The
Dominant Class," Seward spoke again of a small but privileged class of
slaveholders which had entrenched itself in the governmental structure
and achieved a power far beyond its size and legitimate right. But he
placed the blame for this on the apathy of the free states of the North,
and specifically criticized the citizens of Michigan who constituted
his audience. 30

In Auburn, on October 21, Seward spoke on "The Political Parties
of the Day." In this speech, he once again enunciated the doctrine

which he was to call the "Irrepressible Conflict" in 1858:

It is an ancient and eternal conflict between two entirely antagonistic systems of human labor, existing in American society, not unequal in their forces, a conflict for not merely toleration, but for absolute political sway in the republic, between the system of free labor, with equal and universal suffrage, free speech, free thought, and free action, and the system of slave labor, with unequal franchises secured by arbitrary, oppression, and tyrannical laws. It is as old as the republic itself, although it has never ripened before. Heretofore opposing political combinations have con­curred in suppressing this great and important question, but they have broken under its pressure at last. Henceforth, the two interests will be found contending for the common ground, claimed by both, and which can be occupied by only one of them.31

Only these two speeches of the campaign are preserved intact in Seward's Works (Baker) but an excerpt from one of his letters will give some insight into the scope of his labors.

I had a spirited, and, as I hope, a profitable meeting at Buffalo. The tide has evidently turned there, but the result is yet uncertain. I go to speak tomorrow night, at Lyons; on Thursday, at Havana, in Schuyler county; and on Friday night, at Rochester. On Monday I shall go to Oswego, reaching home, as I trust, on Tuesday.32

The Republicans proved unable to consolidate fully the various factions upon which their success depended. A split of the votes between Fremont and Fillmore made it possible for Buchanan to be elected by a plurality. In New York, Seward's labors were well rewarded, the Republicans taking the state by a plurality of 80,000. Overall, the Republicans had cause for rejoicing. They had carried all but five of

31Ibid., pp. 279-281.
32Seward, 1846-1861, op. cit., p. 293.
the free states, and had polled 1,300,000 popular votes. They could reasonably count on a decline in the "Know-Nothings" working to their benefit. And, according to Bancroft:

Even this did not show how great a revolution had been brought about since 1852. In nearly all the southern states the Democratic gains had been so enormous that there seemed to be no room for another party. These gains had been more than counter-balanced by losses at the North. Pennsylvania and Indiana were the only northern states in which Buchanan had obtained a clear majority. It was a foregone conclusion that the "American" ["Know-Nothing"] party could not long survive, and the probabilities were that the current would sweep most of its members into the Republican ranks. Therefore, the next contest must be still more positively sectional. From the time of this election nothing in future politics seemed more probable than that the leadership of the North in the next national campaign would be given to Seward,—the most influential politician in the party and the best representative of a statesmanlike aim to suppress and finally to extinguish slavery by peaceful, constitutional, and generous means.33

The session of Congress which began on December 1, 1856, was typical of those which awaited the arrival of a new incoming administration. Seward took an active part in debates over minor matters involving no great political issue. He presented a bill for the laying of a transatlantic telegraph cable which was debated at some length and finally passed by a vote of 29 to 18. He also argued in favor of the admission of Minnesota, whose petition was being opposed by Democrats and "Know-Nothings" on the ground that she had allowed aliens to vote

33Bancroft, op. cit., p. 431.
before being naturalized. On March 4, 1857, the rather uneventful session ended, and a new administration came into being. Washington seemed marked by a high good feeling toward the new President. But this was to be shattered within days by the celebrated Dred Scott decision of the Supreme Court. This ill-timed and injudicious action is so well known that it deserves little discussion here. It relates to our study only in that the decision which, in effect, made slavery a national institution, could not help but serve to increase the agitation and anti-slavery feeling of the North.

The Kansas struggle had approached the proportions of a civil war in its own right. It is hard for the student of today to believe that the Pierce and Buchanan administrations could have tolerated such an ordeal of criminal violence and fraud as was perpetrated in the territory. Far from accomplishing their ultimate objectives in Kansas the slaveholders, instead, caused much anti-slavery agitation in the North, and provided such advocates as Seward with ammunition which needed little oratorical embellishment to be turned into as strong a pathetic argument for the stopping of slavery as the most powerful fiction writer could produce.

As the Kansas struggle was increasing in intensity and the financial panic of 1857 was coming on, Seward spent the summer of 1857 in travel. In company with his son and daughter-in-law, and a number

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of friends, he visited Canada. He returned to find the elections of 1857 showing a decline in Republican strength, probably due both to the "hard times" and the natural apathy after the great effort of 1856. The Republicans lost New York, with the declining "Know-Nothings" throwing most of their support to the Democrats.

Congress had barely convened in December when Douglas broke with the administration over the Kansas issue. Seward wrote on December 10:

Henceforth, Douglas is to tread the thorny path I have pursued. The Administration and slave power are broken. The triumph of freedom is not only assured, but near.35

On February 2, 1858, Buchanan presented his proposal for the admission of Kansas under the pro-slavery Lecompton constitution. This touched off the great debate of the session. Seward had spoken several times on the Kansas question, including the speech of April 9, 1856, previously analyzed. In this session, he presented his major address on March 3, on the subject of "Freedom in Kansas." He made other speeches on Kansas, including one on April 30 in opposition to the English Bill, and a speech for the admission of Kansas much later, on February 29, 1860. The temper of Seward's position in regard to Kansas is so well shown in the speech already considered, that little need be said of the others. The speech on "Freedom in Kansas," however,

reveals some interesting features. 36

Seward had been continually warning or advising his audience of the principle which was to culminate in his "Irrepressible Conflict" speech. In essence, he was arguing that compromise might postpone the issue, but that a slave and a free society were inherently antagonistic. Although this was not substantially different from Lincoln's "house divided" concept, Seward was much more criticized for it. He brought the point home with great clarity in this Kansas speech.

Eight years ago we slew the Wilmot proviso in the senate chamber, and buried it with triumphal demonstrations under the floors of the capitol. Four years later, we exploded altogether the time honored system of governing the territories by federal rules and regulations, and published and proclaimed in its stead a new gospel of popular sovereignty, whose ways, like those of wisdom, were to be ways of pleasantness, and all of whose paths were supposed to be flowery paths of peace. Nevertheless, the question whether there shall be slavery or no slavery in the territories, is again the stirring passage of the day. The restless proviso has burst the cerements of the grave, and, striking hands here in our very presence with the gentle spirit of popular sovereignty, run mad, is seen raging freely in our halls, scattering dismay among the administration benches, in both houses of Congress. Thus an old and unwelcome lesson is read to us anew. The question of slavery in the federal territories which are the nurseries of future states, involves a dynastical struggle of two antagonistical systems, the labor of slaves and the labor of free men for mastery in the Federal Union. One of these systems partakes of an aristocratic character; the other is purely democratic. Each one of the existing states has staked, or it will ultimately stake, not only its internal welfare, but also its influence in the federal councils, on the decision of that contest. Such a struggle is not to be arrested, quelled or reconciled, by temporary expedients or compromises. 37

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37 Ibid., p. 939.
As in most of his other deliberative speeches, Seward followed this introduction with an extensive historical review of the problem. In this address, however, he added an extensive attack on the recent Dred Scott decision, and centered his review around the following analysis:

The excitement . . . is due to peculiar circumstances. I think there are three of them, namely:
First. That whereas, in the beginning, the ascendency of the slave states was absolute, it is now being reversed.
Second. That whereas, heretofore, the national government favored this change of balance from the slave states to the free states, it has now reversed this policy, and opposed the change.
Third. That national intervention in the territories, in favor of slave labor and slave states, is opposed to the natural, social and moral developments of the republic.  

Bancroft expresses dissatisfaction with this speech, regarding it as "a political masterpiece, in which consistency was disregarded and success was counted all important." His basis for making that charge was primarily Seward's accusation that Buchanan and the Court had collaborated—an accusation which is still controversial today; and Seward's willingness to accept popular sovereignty in Kansas, when the Republican party had committed itself to no further slavery in the territories. But Seward only argued that there was no need to return to the Missouri Compromise in order to resolve the Kansas question, for

38 Ibid.
We may attain the same result, in this practical case of Kansas, without going back so far. Go back only to the ground assumed in 1854, the ground of popular sovereignty.40

Apparently Seward was opening the door to Douglas and such other Democrats as might choose to join the battle for Kansas by declaring that she was entitled to come in free even under the doctrines supported by that party. If this may be cited as a deviation from the Republican philosophy, let it be noted that, in these years, Seward was the architect and not the follower of the Republican party's principles. If he perceived this "deviation" as an opportunity to strengthen the cause of his party and advance the anti-slavery principles which were the mainstay of his policy, he could be much more strongly criticized for failing to take that chance than for engaging in this "deviation."

Admitting that Seward held the status of an architect, while still indicting him for inconsistency, Bancroft observes:

It [Seward's speech] became at once an expression of Republican aims, although it was surprisingly inconsistent with what Seward and the party had previously maintained. As in the case of many of Seward's great discourses, this one was carefully prepared and furnished to the press, so that it could be printed in full in New York on the day following its delivery.41

Aside from what he considered "inconsistency," Bancroft notes that:

Two-thirds of it was an able and eloquent disquisition upon the history and meaning of the strife between freedom


41Bancroft, op. cit., pp. 451-452.
and slavery that had brought about the existing status. In style, it was quite unlike the arguments of the other Repub­licans, and it was as vigorous as the best of his earlier efforts.42

Baker, who is probably at least as prone to be generous in his comments on Seward as is Bancroft to be conservative, had this to say:

Mr. Seward's speeches during this contest in the senate, are remarkable for their ability and comprehensive views. They trace with historical accuracy and striking effect the various acts of the pro-slavery party, in Congress and in Kansas, in its persevering efforts to establish slavery in that territory.43

The National Intelligencer obviously considered this a signifi­cant address, and one which made an impression on the immediate audience.

Mr. Seward rose and addressed the Senate at great length, riveting the attention of his audience during the whole time . . .

Mr. Seward proceeded to deliver an elaborate and eloquent speech upon the admission of Kansas and upon the historical relations of slavery. The distinguished Senator's remarks were pronounced before a full Senate and in the presence of crowded galleries.44

There is quite a contrast between this report of 1858, and the reports on the "Higher Law" speech of 1850, which noted the relatively small crowd which heard Seward. This is at least circumstantial evidence to indicate how Seward had increased in political importance and grown in antecedent ethos in the eight intervening years.

42Ibid., p. 446.
43Baker, Works, op. cit., IV, pp. 53-54.
44Daily National Intelligencer (Washington), March 4, 1858.
The House and Senate were unable to agree on bills in regard to Kansas. A six-man conference committee, including two Republicans—Howard of the House and Seward of the Senate—was appointed. This committee, under the direction of Chairman English, reported a bill providing that Kansas either could come in immediately under the Lecompton Constitution or revert to territorial status and lose a large grant of public land. Seward and Howard dissented from the report, and in doing so Seward warned the Senate that this proposal would work to the disadvantage of the pro-slavery Democrats and increase the popularity of the Republican party in the coming election. These predictions were borne out, and Kansans rejected admission under the Lecompton Constitution by a majority of five to one.45

Since Congress had adjourned without really having settled the Kansas question, Seward proceeded to make his prediction of Republican gains in 1858 come true. In Illinois, the Lincoln-Douglas debates popularized the issues of the day, and Lincoln, relatively unknown in spite of his candidacy for the vice-presidency in 1856, strengthened his hold on the Republican party of the state. In New York, Seward took the stump, and one speech which he gave obtained such great attention as to all but eclipse his other speeches in the campaign. This, of course, was his speech on the "Irrepressible Conflict," presented at Rochester on October 25.

Robert T. Oliver's rhetorical criticism of the "Irrepressible Conflict" speech gives us an assessment of Seward's character, and amasses considerable documentation as to opinions on the "Irrepressible Conflict" phrase itself. But it fails to provide a thorough analysis of Seward's speech content on this occasion. Moreover, we cannot fully agree with Oliver's apparent assessment of Seward's character. Oliver's support for the view that Seward was "subtle and unscrupulous" comes from two of his ardent political opponents, Robert Toombs and Daniel Webster. The latter wrote in 1850 and based his statement on the belief that Seward desired to be president, and was appealing to both Catholic and Abolitionist votes in an attempt to achieve that objective. Nor can we fully understand how Oliver finds it extremely significant that Greeley turned against Seward. Such a view fails to take into consideration the fact that Greeley's dissatisfaction appears to have stemmed from his belief that Seward and Weed had not given him adequate political reward for his efforts. And finally, Oliver is equally unconvincing when he suggests that "... perhaps the most revealing characterization is that penned by

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48 See Lothrop, op. cit., pp. 140-141.
an enthusiastic young admirer, Donn Piatt, who visited Seward soon after 1850 in Washington . . . ." The substance of Piatt's observations is that Seward had admitted to him that the "Higher Law" speech had been imprudent and he ought to have been more careful. Therefore, Piatt concluded that "His opposition was based entirely upon his intellectual processes, and not upon his heart. He had no pity for the slave, and no dislike for the master." 50

We might first raise the question as to whether an opposition to slavery that was based primarily upon the intellect might not be as significant and perhaps more statesmanlike than one based upon pure emotionalism. But, in any case, the alleged confession to Piatt seems so inconsistent with what Seward had written to Weed shortly after the speech in question—averring that only that speech and the one in the Freeman case, of all his efforts, were such that he would not change one word in them—that we can assume the accuracy of Piatt's report only if we also assume that Seward had had a remarkable change of heart before the conversation to which Piatt refers. And if Seward actually did describe the speech as imprudent—a confidence which, to the best of our knowledge he shared only with Piatt—we would need to know more about the context of his statement. The reader will recall that in our analysis of the "Higher Law" speech, we suggested that

49 Oliver, op. cit., pp. 31-32.
50 Ibid.
Seward may well have reduced the effectiveness of his plea by uniting his very lucid and logical argument with the more mystical appeal. If this were the meaning of Seward's alleged reference to the "imprudence" of his speech, we might be disappointed to find that he had vacillated from his original and firmer position, but we would have to give him credit for a good analysis of his own rhetoric.

On the whole, Oliver's article is a significant contribution in its assessment of the intent of the "Irrepressible Conflict" speech and in many of its observations on the effect of that speech. We only find it regrettable that the one monograph on Seward's speaking which is readily available to the speech community should give the implication which it does of his character. Seward was certainly human, ambitious, perhaps a little too reluctant to take the advice of others, and fell short of perfection in many ways. But there is ample evidence of his sincere dedication to anti-slavery principles, be it on an intellectual or emotional basis, to suggest that he may have come closer to combining sincerity in this dedication with statesmanlike realism in his approaches to the problem than most of his contemporaries. We have attempted to suggest this conclusion throughout the present work. One need go no further than Seward's early experiences as enumerated in Chapter III to be fairly convinced that he did feel "pity for the slave." It seems possible that Seward may have been just enough of a radical on slavery to fail to gain the support of contemporary moderates, and too much of a political realist to win the
full support of the wild-eyed abolitionists.

The speech at Rochester was a political speech given at a Republican rally. It would be reasonable to assume, from our previous analysis of Seward's antecedent ethos, that he would have had a favorable reception. His opening remarks imply his pleasure at the response, and provide a concise initial summary of the speech which is to follow. Seward began by saying:

The unmistakable outbreaks of zeal which occur all around me, show that you are earnest men—and such a man am I. Let us, therefore, at least for a time, pass by all secondary and collateral questions, whether of a personal or of a general nature, and consider the main subject of the present canvass. The democratic party—or, to speak more accurately, the party which wears that attractive name—is in possession of the federal government. The Republicans propose to dislodge that party, and dismiss it from its high trust.

The main subject, then, is, whether the democratic party deserves to retain the confidence of the American people. In attempting to prove it unworthy, I think that I am not actuated by prejudices against that party, or by some pre-possessions in favor of its adversary; for I have learned, by some experiences, that virtue and patriotism, vice and selfishness, are found in all parties, and that they differ less in their motives than in the policies they pursue.\(^{51}\)

Seward was not the man to miss an opportunity to develop his ethical appeal. In this passage he identified himself with his audience, while picturing himself as a non-partisan seeking only the best and highest objectives. This was a carefully nurtured and not totally inaccurate picture of the character he had indicated by his

\(^{51}\)The speech is found in Baker, Works, op. cit., IV, pp. 289-302.
conduct over the years. He had always demonstrated party loyalty, and had consistently affiliated himself with the party most "practical" in terms of his objectives. Moreover, he had never been afraid to tell an audience the exact nature of his party allegiance. He readily admitted, during the campaigns of 1844 and 1848 for example, that he regretted the fact that his party had chosen to run a slaveholder and adopt an evasive platform. But he had always maintained that party to be the best of the alternatives available to the voters. In 1858, therefore, he was able to project, more than any other major politician of the time, a picture of loyal non-partisanship.

Moving on into his speech, Seward developed a series of points with which he was already well associated. The principal difference between the two major political groups in the country, said Seward, was the labor systems, one slave and one free. His fourth paragraph stated this in language a bit more aggressive than was the flavor of his previous speeches:

The laborers who are enslaved are all negroes, or persons more or less purely of African derivation. But this is only accidental. The principle of the system is, that labor in every society, by whomsoever performed, is necessarily unintellectual, groveling, and base; and that the laborer, equally for his own good and for the welfare of the state, ought to be enslaved. The white laboring man, whether native or foreigner, is not enslaved, only because he cannot, as yet, be reduced to bondage.

Although a bit Garrisonian, such an argument could reasonably be applied to statements of some of the most vigorous of the southern advocates, who had begun to discuss slavery as a "positive good" which
freed the slaveholder for the development of his culture and reasoning.

Seward went on to develop his familiar arguments. The wealth of a country depended on free labor. The free society educated all. Free societies lead to republics or democracies. The tendency for slave societies to become despotic he proved by the contrast between Russia and Turkey and the other countries of Europe, and by the clashes which had been observed in the gradual changes within the United States. Hitherto, the two systems had been able to survive in different states of the Union, because it was a confederation. But changes were occurring. A number of factors were gradually making the Union into a mere closely knit consolidation. Then came the famous words.

Thus, these antagonistic systems are continually coming into closer contact and collision results.

Shall I tell you what this collision means? They who think that it is accidental, unnecessary, the work of interested or fanatical agitators, and therefore ephemeral, mistake the case altogether. It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slaveholding nation, or entirely a free-labor nation.

There is nothing in this passage which is any stronger than Seward's 1848 sentiments at Cleveland, his 1855 speech at Albany, or his whole line of reasoning on the Kansas struggle. Nor is it any more radical than the "house divided" concept of Lincoln. In fact, as Oliver correctly notes, Lincoln declared that "I agree with Seward's
There are, however, factors which call greater attention to this doctrine as he developed it in 1858 than as he had previously stated it. We have already noted the paragraph threatening the subversion of white labor. Moreover, when he went on to develop his usual argument about the usurpations of the slave states, he laid special stress on how they would eventually return the entire country to a slave nation. Then he said:

I shall not stop to show how speedy or how complete would be the ruin which the accomplishment of these slaveholding schemes would bring upon the country to test the sad experiment. Having spent my manhood, though not my whole life, in a free state, no aristocracy of any kind, much less an aristocracy of slaveholders, shall ever make the laws of the land in which I shall be content to live. Having seen the society around me universally engaged in agriculture, manufactures and trade, which were innocent and beneficent, I shall never be a denizen of a state where men and women are reared as cattle and bought and sold as merchandise. When that evil day shall come, and all further effort at resistance shall be impossible, then, if there shall be no better hope for redemption than I can now foresee, I shall say with Franklin, while looking over the whole earth for a new and more congenial home, "Where liberty dwells, there is my country."

Oliver feels that the cause of the importance of the "Irrepressible Conflict" speech lies in its timing. Slavery was a topic of greater concern in 1858 than it had been previously. Disunion was more believable. And Seward himself was a more "dangerous" man, because he looked like a probable contender for the presidency in 1860. Many

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52 Oliver, op. cit., p. 47; Burton Hendrick, Bulwark of the Republic (Boston, 1937), p. 342.
groups, including other Republican hopefuls and the Democrats themselves, had much to gain by exaggerating the importance of the phrase, and they did so.\footnote{Oliver, \textit{op. cit.}, pp. 40-41.}

This evaluation, though basically sound, places undue stress on the significance of timing. Part of the problem also lies in the difference between this speech and Seward's usual addresses, a factor which Oliver justifiably missed in treating only one speech. The passage just quoted, for example, is highly amenable to the misconceptions of the speech which took place. This passage simply does not ring true or consistent when measured against other Seward speeches. Where is the Seward, for example, who would admit California even if it came in as a slave state? Where is the Seward, moreover, who had declared his belief in an indestructible Union, and suggested that neither slave nor free states could withdraw because of the great benefits accrued from the Union? Most importantly, from where comes this new Seward who would leave his country if slavery triumphed, thus giving implicit justification to the doctrine of disunion?

The rest of the speech is both pedestrian and familiar. It is composed of a review of slavery's undermining of the intention of the constitution and a proof that the Democratic party was the party of slavery, where the Republican party was the answer to freedom's call.
In conclusion, Seward noted:

I know, and you know that a revolution has begun. I know, and all the world knows, that revolutions never go backward. Twenty senators and a hundred representatives proclaim boldly in Congress today sentiments and opinions and principles of freedom which hardly so many men, even in this free state, dared to utter in their own homes twenty years ago. While the government of the United States, under the conduct of the democratic party, has been all that time surrendering one plain and castle after another to slavery, the people of the United States have no less steadily and perseveringly gathering together the forces with which to recover back again all the fields and all the castles which have been lost, and to confound and overthrow, by one decisive blow, the betrayers of the constitution and freedom forever.

Those who contrast this speech to others made by Seward wish to compare the phrase "Irrepressible Conflict" with other passages, and they conclude, as we have shown, that the phrase was no radical departure from his previous declarations. Since this is true, it would seem questionable how the phrase became so important. That it was catchy, and provided an excellent slogan for Seward's followers and enemies alike, seems clear. But it is the overall speech content which we find deficient.

We find this, in many respects, to be the least rewarding Seward speech we have examined. It is disappointing both for what it says and for what it does not say. In a word, this is the speech we would designate as impudent. Seward was both injudicious and careless. He enunciated no new doctrines, and he did not specifically advocate any forcible interference with the South, but he did not guarantee against it. Previously, Seward had been careful to commit himself to
constitutional, non-violent means, and to declare himself specifically opposed to interference in the states where slavery already existed. Speaking from this context, he could have argued an "Irrepressible Conflict" of a political nature, which would ultimately leave the nation all slave or all free. But when he waxed rhetorical and spoke of leaving his home to seek a free country if slavery should triumph, and foresaw an "irrepressible conflict" in which "... to confound and overthrow, by one decisive blow, the betrayers of the constitution and freedom forever;" and neglected to provide any specific oral commitment to his usual principles of non-violence and non-intervention, his extended military metaphor left him highly vulnerable. At best, this speech would have to be regarded as careless rhetoric which all too often characterizes political campaign oratory.

Yet there was no indication that he had changed his principles. Indeed, it seems unlikely that he regarded the speech as any significant declaration of principle. Oliver makes an excellent demonstration of the fact that Seward and the other Republicans regarded it as a routine political address. But it was certainly not routine in its effect on the nation and on Seward. According to Sharrow:

Public reaction to the speech was immense and varied. Ardent opponents of slavery praised the speech as "worthy of a philosopher statesman" and hailed it as maintaining the high anti-slavery principles of the Republican party in a

54ibid., p. 35.
dark hour. Southerners seized the speech as confirming their characterization of Seward as a radical opponent of slavery who was willing to offer any sacrifice to abolish slavery.55

Emphasizing the importance of timing in bringing about this great reaction, Oliver notes:

It seems obvious that the prolonged, bitter, and nationwide reaction to Seward's speech at Rochester occurred not because of what was said, or because of who said it, but because the man, the utterance, and the occasion formed a precise combination that proved highly combustible.56

Sharrow concurs that the speech included "no substantive element which Seward had not enunciated previously," but feels that three factors made the speech significant—the phrase "Irrepressible Conflict," the fact that Seward was now a leading contender for the presidency, "and finally Seward employed ambiguity which allowed a misconception of his position."57 We agree with both of these analyses, but would stress the fact that ambiguity and word choice made the speech sound more radical than past presentations, and the fact that Seward failed to include his usual conciliation and declarations in behalf of legal and non-violent means. Nevins feels that it was "... an indiscreet interpretation of the crisis," and that "... it was the word 'conflict' which rang like a bell, alarming many and angering some, for

55Sharrow, op. cit., p. 243; Seward Papers, Theodore Parker to Seward, November 15, 1858; Seward Papers, Herbert Berrian to Seward, November 9, 1858.

56Oliver, op. cit., p. 40.

57Sharrow, op. cit., pp. 244-245.
it bore a connotation of armed strife." Again, there is truth in
the argument that the phrase itself was imprudent, but this would
probably not have been sufficient cause for the furor had it not been
for the other factors.

Oliver doubts that the speech, coming only a few days before the
state election of 1858, had any great effect on that election. This is
hard to assess. The Republicans carried most of the northern states,
including New York, so at least it did not seriously hurt their cause.
What is certain is that this speech, and the phrase taken from it, be­
came as notorious as the "Higher Law" speech of 1850; and the two were
adequate to gain Seward the approval of the abolitionists and the hate
of the conservatives. The Republican platform of 1860, although trying
to provide something for everybody, incorporated the essential features
of the "Irrepressible Conflict," but the leaders of the party, in
choosing Lincoln as their standard bearer, called upon a more "moderate"
politician than the man who had enunciated that doctrine.

The congressional session of 1858-1859 accomplished little.
The slave states pressed for a bill to authorize the purchase of Cuba,
appropriating some thirty million dollars for that purpose. The Repub­
licans urged the admission of Kansas and better enforcement against the
re-opening of the slave trade, as well as for the adoption of the

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58 Nevins, Emergence, op. cit., I, p. 409; but he also misdates
the speech as September 25, and concludes that it had great effect in
the election of 1858.
Homestead Bill. The Senate was now too clearly divided for any of these measures to pass. Congress adjourned on March 4, and went immediately into special session called by the President. The major purpose of the session was to pass on the President's appointments.\(^5^9\)

The special session over, Seward took an extended vacation in Europe. When he returned in December of 1859, he felt refreshed and ready to resume his activities in Congress and in the coming Presidential campaign.\(^6^0\) As Seward returned, however, the atmosphere of the country was one of great political and emotional fervor. Of all the events in the minds of the people, the most emotion-arousing one was John Brown's recent attempt to raid Harper's Ferry, Virginia. In the South, Republicans were being charged with having directly or indirectly instigated the raid, and more than one attempt was made to argue that it was the direct result of such utterances as Seward's "Irrepressible Conflict."\(^6^1\)

Congress opened with a heated contest for the Speaker of the House and with the appointment of a senatorial committee to investigate the John Brown affair. Southern Senators were openly blaming the Republicans for the raid, and threats of disunion filled the Capitol.

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\(^5^9\)Seward, 1846-1861, op. cit., pp. 354-360.

\(^6^0\)Ibid., pp. 360-436.

\(^6^1\)Ibid., pp. 439-440.
On the forty-fourth ballot, the Republican candidate, William Pennington was elected Speaker. On the 14th of February, 1860, Kansas submitted her new free constitution. Seward moved its referral to the Committee on Territories and its printing. On the 21st he introduced a bill for the admission of Kansas. And on the 29th he made a compelling speech in favor of that bill. Here he followed a line of reasoning which was similar to the earlier addresses he had made on Kansas. It is worth noting that the speech is conciliatory and conservative when compared to the speech of 1858. Seward still took a firm anti-slavery stand, but committed the party only to opposition to the expansion of slavery. He reinstated those parts of his philosophy so noticeably missing from the speech of 1858—the guarantee that the Republicans sought no invasion into the states where slavery already existed.

The following paragraph brought such thunderous applause that the presiding officer stopped the speaker and threatened to have the galleries cleared.

But is the Republican party sectional? Not unless the Democratic party is. The Republican party prevails in the House of Representatives sometimes; the Democratic party in the Senate always. Which of the two is the most proscriptive? Come, come,

62 Ibid., pp. 440-444.
64 Ibid., p. 912.
come, if you will, into the free states—into the state of New York, anywhere from Lake Erie to Sag Harbor, among my neighbors in the Owasco valley; hold your conventions, nominate your candidates, address the people, submit to them fully, earnestly, eloquently, all your complaints and grievances of Northern disloyalty, oppression, perfidy; keep nothing back; speak just as freely and loudly as you do here. You will have hospitable welcomes and appreciating audiences, with ballot boxes open for all the votes you can win. Are you less sectional than this? Extend to us the same privileges, and I will engage that you will very soon have in the South as many Republicans as we have Democrats in the North.65

It would probably be ascribing to Seward greater statesmanship than he possessed to claim that he had come to realize the possibility of disunion if the Republicans were elected and hoped that this speech might help stave off that possibility. There is nothing to suggest that he had given up his optimistic and nationalistic view that the Union was inseparable and could survive the political passions of the moment. The speech, like most of his Senate addresses, was probably intended for northern consumption, and this one was specifically designed to remove from his candidacy the stigma of immoderation. If it were so intended, it was a justifiable attempt. For the sentiments expressed here were more consistent with the normal content of Seward's speeches than were the ideas of the "Irrepressible Conflict."

At the national Democratic convention meeting in Charleston on April 23, 1860, there occurred the historic schism which virtually guaranteed a Republican triumph. The convention majority voted for the Douglas doctrine of popular sovereignty, and the extreme pro-slavery

65Ibid.
delegates followed the eloquent William L. Yancey out of the convention. The rival factions of the Democratic party nominated Douglas and John C. Breckenridge respectively.†6 On May 9th, in Baltimore, remnants of the conservative Whigs and the "Know-Nothings" met to nominate John Bell on the "Constitutional Unionist" party and platform. Their major doctrine was the fear of a direct confrontation on the slavery issue destroying the Union itself.†67

Much has been said in Chapter II concerning Seward's hopes for the nomination of 1860 and of the great public uproar which followed his defeat. He had good reason to expect the nomination. The Republican party had showed its willingness to take an anti-slavery stand, and no candidate could hope to compete against Seward on the grounds of practical opposition to slavery.

Many factors combined to defeat him. One was the split in the Democratic party. If the Democrats had united on a southerner, the contest would have been more clearly sectional, and this could have probably aided Seward's nomination. But Douglas was a northerner, and he had demonstrated his strength in the key states such as Illinois. Moreover, Seward had been a leader for a long time—too long not to have made enemies, and too long not to have taken a stand on all major issues. He could not run strictly on personality, nor could he hope to

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†6 Seward, 1846-1861, op. cit., pp. 458-459.

†67 Ibid., p. 456.
hide his positions in the cloak of mediocrity.

Moreover, there was the opposition of Horace Greeley to be overcome. And there was the problem of Weed's image. For all his national power, Weed was known as a machine politician, and his "henchmen" had recently been implicated in the corrupt awarding of street railway franchises. Finally, the Republican convention was the first convention to be controlled by the new and ebullient West. Many of the delegates cared little for the philosophical conflict of slavery and freedom, and the convention was "organized for victory and spoils as well as for greater freedom."

The Republicans united on the "available" candidate—the moderate and relatively unknown Lincoln whose "House Divided" doctrine had never stirred up controversy as had Seward's "Higher Law" and "Irrepressible Conflict" references; the man whom they believed could give them the doubtful states. And so, Abraham Lincoln became immortal to every school boy, while Seward is known to most, if at all, as the purchaser of Alaska—certainly a legacy of importance, but one which pales into insignificance when compared to the total career of the man. Sharrow probably puts the nomination in the most accurate perspective:

Although the concentration of strength behind Lincoln was a masterly feat of political manipulation, the fact


69Ibid.
remains that the forces were more anti-Seward than pro-Lincoln. 70

It is characteristic of Seward that he himself wrote the letter which headed the column of the Auburn Daily Advertiser on the following day.

No truer exposition of the Republican creed could be given than the platform adopted by the convention contains. No truer or firmer defenders of the Republican faith could have been found in the Union, than the distinguished and esteemed citizens on whom the honors of the nomination have fallen. Their election, we trust by a decisive majority, will restore the Government of the United States to its constitutional and ancient course. Let the watch word of the Republican party be "Union and Liberty," and onward to victory. 71

Once again Seward took the stump. Again he was loyal to a party which had rejected him. But this was a different kind of rejection and a different kind of campaign. The Seward principles were adopted, as they had been in 1856. And the party showed every chance of victory. To this extent, and certainly with the heartfelt commiseration of much of the Republican press and his multitude of followers, Seward's natural disappointment should have been eased in the campaign. And the analysis of the sentiment of the North contained in Chapter II would suggest that he never took higher antecedent ethos with him on the campaign trail.

Seward took a five-week tour of Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Illinois, and Ohio. In passing over these

70 Sharrow, op. cit., p. 281.

71 Seward, 1846-1861, op. cit., p. 452.
speeches with a few comments, we do not wish to diminish their importance. But they were political addresses delivered by a man who was not the standard bearer. The North was pleased with Seward's efforts, and the speeches are as strong artistically as they were effective practically. But the Union was waiting for an election, in which the issue was declared long before the canvass began. Seward had been declaring it for years, and it is doubtful that his speeches in the canvass, although they unquestionably helped Lincoln by showing Seward's sincere support, did much to change the impression the people had of the Republican party and of its principles.

Seward relied heavily on attempts to convince his audiences that they owed much of the great growth of the North and West to the system of free labor. He took a firm and consistent anti-slavery stand, but he had returned to his moderate and statesmanlike doctrine for attacking slavery. He said that the Republican party sought to circumscribe the slave states, not to interfere in their internal affairs. The territories became the major issue. He referred to the "Higher Law" and the "Irrepressible Conflict" frequently in the campaign, but he always expressed the objectives in terms so moderate that there was no justification for any person, North or South, to regard the Republican doctrine as enunciated by Seward to be aggressive toward them in their established domain.72 There never had been such

72Some of these speeches are found in Baker, Works, op. cit., IV, pp. 303-430.
justification. Of all Seward's speeches, the "Irrepressible Conflict" is the one most noticeably lacking in positive restraint, and even that speech declares no platform of positive intervention.

Seward continued to argue, with apparent sincerity, that disunion was not possible. In any case, the Republicans had only three choices—they could accept disunion and regard it as better than the present situation, argue that it could not occur and try to prevent it, or withdraw from the political arena whenever the threat was raised. The middle course seemed the best choice.

Bancroft is so unstinting in his praise of Seward at this point in his career (although he makes it obvious that he feels Seward was yielding too much in his interpretation of the "Higher Law" and the "Irrepressible Conflict") that he seems almost to be abandoning his characteristic conservatism and objectivity.

There was no public word or sign on Seward's part indicating that he did not bear with perfect equanimity the disappointment of not being the candidate. His praise of Lincoln was generous and in perfect taste. His manner toward other candidates was above criticism, and one wonders, from the superior quality of his speeches, how they could have been delivered in an exciting public campaign. His admirers often pointed to his bearing at this time as the best vindication of their efforts to nominate him. But none of them paid him so just and happy a compliment as James Russell Lowell, who said that he had ceased to regret Seward's defeat, for his magnanimity, shown "since the result of the convention was known has been a greater ornament to him and a greater honor to his party than his election to the presidency would have been."73

73 Bancroft, op. cit., p. 551.
As the contest of 1860 ended, it became clear that the Republicans had carried the day by a greater margin than they had cause to expect. In the strong Seward territory of New York, the increase of the Republican vote over that of the preceding national election was a hundred thousand. It would seem unreasonable not to credit part of this majority to the magnanimous course pursued by Seward.

The secession movement which began shortly after the election was met at first by incredulity in the North. Seward continued to counsel that the Union was strong and would survive the onslaught. It would serve no useful purpose for us to review that movement at this point, or to suggest its causes and the measures which might have been taken even at this late time to prevent it. The historical details and causes of the conflict may be inferred from Chapter II. Our contention is that the doctrines of Seward could justify secession only under the most grievous misinterpretation, and we feel that we have made this contention apparent in our evaluation of his speeches and principles. It was evident, however, that he was beginning to consider what course might reasonably be taken in defense of the Union, and it was to become clear that Seward, like Webster, would put Union first when he really believed it in danger.

On December 28th, Seward accepted Lincoln's offer of the position of Secretary, an office that he was loyally and efficiently to fulfill. Before taking office, he delivered his Senate valedictory address on January 12, 1861, a speech which ranks with his greatest
efforts.

The *National Intelligencer* reports that the galleries were filled and that Senator Toombs attempted to have them cleared before Seward spoke, although it had become traditional to permit onlookers.\(^7\)

The importance which the nation attached to this address is recorded in Chapter II. Against this background, Seward opened his address in an introduction that clearly indicated that he no longer considered disunion impossible. No one could have believed such at this point. But the introduction also expressed the view that the Union could be kept together, and that this was paramount.\(^7\)

Congress adjourned last summer amid auspices of national abundance, contentment, tranquillity and happiness. It has reassembled this winter in the presence of derangement of business and disturbance of public as well as private credit, and in the face of seditious combinations to overthrow the Union. The alarm is appalling; for Union is not more the body than Liberty is the soul of the nation. The American citizen has been accustomed to believe the republic immortal. He shrinks from the sight of convulsion indicative of its sudden death. The report of our conditions has gone over the seas, and we who have so long and with much complacency studied the endless agitations of society in the Old World, believing ourselves exempt from such disturbances, now, in our turn, seem to be falling into a momentous and disastrous revolution.\(^7\)

This was not a time for temperate or lukewarm statements, and there was nothing equivocal or ambiguous in Seward's declaration of

\(^7\) *Daily National Intelligencer* (Washington), January 14, 1861.

\(^7\) The speech is found in *U. S., Congressional Globe*, 36th Congress, 2nd Session, Part 1, 341-344.

personal intent. It was a declaration that rose above party and section—a declaration which was eloquent and effective in its pathetic appeal to the nationalism of the country.

I know how difficult it is to decide, amid so many and so various counsels, what ought to be and even what can be done. Certainly, however, it is time for every senator to declare himself. I, therefore, following the example of the noble senator from Tennessee Mr. Johnson, avow my adherence to the Union in its integrity and with all its parts, with my friends, with my party, with my state, with my country, or without either, as they may determine; in every event, whether of peace or of war; with every consequence of honor or dishonor, of life or death. Although I lament the occasion, I hail with cheerfulness the duty of lifting up my voice among distracted debates, for the whole country and its inestimable Union.  

Seward went on to list the acts that could not save the Union. He included mutual incriminations, a continuation of the debate over slavery in the territories, which must be terminated by "A truce, at least during the debate on the Union, is essential to reconciliation"; attempts to prove that secession is illegal or unconstitutional; discussion of the right of the federal government to coerce seceding states into obedience; or compromises resulting in some "cunning and insincere compact of pacification." Yet the Union, said Seward, could not be permitted to dissolve.

I dread, as in my innermost soul I abhor, civil war. I do not know what the Union would be worth if saved by the use of the sword. Yet for all this, I do not agree with those who, with a desire to avert that great calamity, advise a conventional or unopposed separation with a view to what they call a

77 Ibid.
reconstruction. It is enough for me, first, that in this plan, destruction goes before reconstruction; and secondly, that the strength of the vase in which the hopes of the nation are held, consists chiefly in its remaining unbroken.78

Seward argued that the government of a state could not absolve the people within the state from allegiance to the Union. The Union was a union of people, not of states, and only the direct action of the people could dissolve it. With this in mind:

Congress, in the present case, ought not to be impassive. It ought, if it can, to redress any real grievances of the offended states, and then it ought to supply the president with all the means necessary to maintain the Union in the full exhibition and discreet exercise of its authority. Beyond this, with the proper activity on the part of the executive, the responsibility of saving the Union belongs to the people, and they are abundantly competent to discharge it.

I propose, therefore, with great deference, to address myself less to the senate than to the country, upon the momentous subject, asking a hearing, not less from the people within what are called seceding, than from those who reside within the adhering states.79

Perhaps no orator ever more carefully delineated his audience. Perhaps no speaker was ever in a better position to claim the attention of such a wide audience. Seward was clearly and rightfully regarded as the spokesman for the Republican party and for the incoming administration. None could question his authority to speak on the subject at hand. To all who would listen, here were the public commitments of the new government, at least insofar as Seward could pronounce them.

78 Ibid.
79 Ibid.
In one of his now familiar historical developments, Seward reviewed the history and advantages of Union, the necessity for government, and the hopes of the founders of the Republic. And then he enunciated, accurately, carefully, and deliberately, the awful question at hand.

The simple question, therefore, for us now to decide, while laying aside all pique, passion and prejudice, is, whether it conduces more to the interests of the people of this country to remain, for the general purposes of peace and war, commerce, inland and foreign, postal communications at home and abroad, the care and disposition of the public domain, colonization, the organization and admission of new states, and, generally, the enlargement of empire, one nation under our present constitution, than it would be to divide themselves into separate confederacies or states.\textsuperscript{80}

In answering this question, Seward further asked if there was any good reason for the Union to dissolve, and answered thus:

Notwithstanding recent vehement expressions and manifestations of intolerance in some quarters, produced by intense partisan excitement, we are, in fact, a homogeneous people, chiefly of one stock, with accessions well assimilated. We have, practically, only one language, one religion, one system of government, and manners and customs common to all. Why, then, shall we not remain henceforth, as hitherto, one people?\textsuperscript{81}

Seward felt that Union was the best guarantee against foreign intervention. "It is the multiplication of treaties, and the want of confederation, that makes war the normal condition of society in western Europe and in Spanish America." There was also the not inconsiderable problem of the ultimate relations between the various confederacies

\textsuperscript{80} Ibid.

\textsuperscript{81} Ibid.
which might arise within the United States itself. To support this claim, Seward showed how, even in sixty days, there had been talk of alliances with European powers. He showed, quite logically, the inevitability of war between the various sections of the United States.

Secondly, the disunion movement arises partly out of a dispute over the common domain of the United States. Hitherto the Union has confined this controversy within the bounds of political debate by referring it, with all other national ones, to the arbitrament of the ballot-box. Does any suppose that disunion would transfer the whole domain to either party, or that any other umpire than war would, after dissolution, be invoked?²²

Seward also raised the spectre of Negro insurrection as a natural result of Civil War. This fear, while it proved to be unrealistic, was very real in the minds of the South and was truly believed in the North. There had, of course, been some minor uprisings to engender this fear.

Seward addressed himself, in the most conciliatory possible terms, to the slave-holding states, arguing quite pragmatically, in almost prophetic utterance of the reconstruction era, that slavery would probably be treated more rationally within the Union than it would be if disunion occurred.

The opinions of mankind change, and with them the policies of nations. One hundred years ago all the commercial European states were engaged in transferring negro slaves from Africa to this hemisphere. Today all those states are firmly set in hostility to the extension and even to the

²²Ibid., p. 342.
practice of slavery. Opposition to it takes two forms; one, European, which is simple, direct abolition, effected, if need be by compulsion; the other, American, which seeks to arrest the African slave trade, and resist the entrance of domestic slavery into territories where it is yet unknown, while it leaves the disposition of existing slavery to the consideration of the states by which it is retained. It is the Union that restricts the opposition to slavery in this country within these limits. If dissolution prevail, what guarantee shall there be against the development here of the fearful and uncompromising hostility to slavery which elsewhere pervades the world, and of which the recent invasion of Virginia was an illustration.83

This is an argument which successfully, in our judgment, explains away any fear that the Republicans planned to interfere with slavery in the South while trying to appeal to the fears of the South by threatening them with uncontrolled intervention. But Seward was really giving his audience no new statement of position. Stripped of rhetorical embellishment, Seward was favoring, as he had always favored, circumscribing slavery within its present domain, and relying on natural forces to bring about eventual emancipation. He was both a dedicated and a practical abolitionist. In fact, there is good reason to believe that, if the South had stayed in the Union, Seward might have found himself in the position of defending her against the more radical congresses of a later time. Certainly he found himself in that position in the Johnson Administration, as we have noted in Chapter II.

Seward shifted from this appeal to the fears of the South, back to an appeal to the patriotism of the entire nation. He argued that

83 Ibid.
dissolution would destroy the prestige of the Union.

No petty confederacy that shall follow the United States can prolong, or even renew, the majestic drama of national progress. Perhaps it is to be arrested because its sublimity is incapable of continuance. Let it be so, if we have indeed become degenerate. After Washington, and the inflexible Adams, Henry, and the peerless Hamilton, Jefferson, and the majestic Clay, Webster, and the acute Calhoun, Jackson, the modest Taylor, and Scott who rises in greatness under the burden of years, and Franklin, and Fulton, and Whitney, and Morse, have all performed their parts, let the curtain fall!84

In his next paragraph, Seward combined visual imagery, youth, age, and patriotism into a compelling and eloquent appeal which may be unmatched in his attempts at pathos, and which certainly rivals the Freeman speech.

While listening to these debates, I have sometimes forgotten myself in marking their contrasted effects upon the page who customarily stands on the dais before me, and the venerable secretary who sits behind him. The youth exhibits intense but pleased emotion in the excitement, while at every irreverent word that is uttered against the Union the eyes of the aged man are suffused with tears. Let him weep no more. Rather rejoice, for yours has been a lot of rare felicity. You have seen and been a part of all the greatness of your country, the towering national greatness of all the world. Weep only you, and weep with all the bitterness of anguish, who are just stepping on the threshold of life; for that greatness perishes prematurely and exists not for you, nor for me, nor for any that shall come after us.85

Stripped of all pretense, Seward could find only one reason for disunion, and he did not consider that a valid cause. According to him:

The occasion is the election of a president of the United States, who is unacceptable to a portion of the people. I state the case accurately. There was no movement of disunion

84Ibid.
85Ibid., pp. 342-343.
before the ballots which expressed that choice were cast. Disunion began as soon as the result was announced. The justification it assigned was, that Abraham Lincoln had been elected; while the success of either one of the three other candidates would have been acquiesced in. Was the election illegal? No; it is unimpeached. Is the candidate personally offensive? No; he is a man of unblemished virtue and amiable manners. Is an election of a president an unfrequent or extraordinary transaction? No; we have never had a chief magistrate otherwise designated than by such election, and that form of choice is renewed every four years. Does any one even propose to change the mode of appointing the chief magistrate? No; election by universal suffrage as modified by the constitution, is the one drowning franchise of the American people. To save it they would defy the world. Is it apprehended that the new president will usurp despotic powers? No; while he is of all men the most unambitious, he is, by the partial success of those who opposed his election, subjected to such restraints that he cannot, without their consent, appoint a minister, or even a police agent, negotiate a treaty, or procure the passage of a law, and can hardly draw a musket from the public arsenals to defend his own person.\footnote{Ibid., p. 343.}

There could be no real evidence, suggested Seward, of the aggressive intent of the successful party. After all, it had never held power before. Moreover, those who were dissatisfied with the principles or practices of the party had natural recourse through subsequent elections.

Aside from the election of a president, however, Seward felt obliged to respond to certain real and imaginary grievances. There were a small but sincere group of men who actually believed that the South could benefit from being in a confederacy composed totally of slave states. This Seward dismissed with "the discussion I have
already incidentally bestowed upon it." They were others who were concerned about the fugitive slave issue. This, Seward thought, was particularly important.

If others shall invoke that form of action [revolution] to oppose and overthrow government, they shall not, so far as it depends on me, have the excuse that I obstinately left myself to be misunderstood. In such a case I can afford to meet prejudice with conciliation; exaction with concession which surrenders no principle, and violence with the right hand of peace. Therefore, so far as the abstract question whether, by the constitution of the United States, the bondsman, who is made such by the laws of a state, is still a man or only property, I answer that, within that state, its laws on that subject are supreme; that when he has escaped from that state into another, the constitution regards him as a bondsman who may not, by any law or regulation of that state, be discharged from his service, but shall be delivered up, on claim to the party to whom his service is due. While prudence and justice would combine in persuading you to modify the acts on Congress on that subject, so as not to oblige private persons to assist in their execution, and to protect freemen from being, by abuse of the laws, carried into slavery, I agree that all laws of the states, whether free states or slave states, which relate to this class of persons, or any others recently coming from resident in other states, and which laws contravene the constitution of the United States, or any law of Congress passed in conformity thereto, ought to be repealed.

Notwithstanding the fact that Seward said he was abandoning no principle here, he was certainly stretching his own principles and those of the Republican party about as far as they could be extended. How could he go further without abandoning the entire position upon which the party had been elected? How he must have cherished the Union to go even this far. There is such a great parallel between Webster

87 Ibid.

88 Ibid., pp. 343-344.
on the 7th of March and Seward on January 12th as to make itself obvious without further elaboration. Yet there are perhaps two overwhelming differences. In the first place, Webster feared that the Union might be dissolved; Seward saw the dissolution occurring all around him. In the second, there was more reason to think that Webster might be hoping for the nomination of 1852 than to think that Seward could have any great expectations of the nomination of 1864. But it would appear that the works of both showed that they loved the Union above all else; and both, when finally convinced of the reality of its possible dissolution, were willing to stretch their principles to the limit and risk the possible epithet of "Ichabod" in their attempt at preserving it.

Never did Seward more specifically enunciate the doctrine of state sovereignty over its own internal affairs than in this speech.

Experience in public affairs has confirmed my opinion, that domestic slavery, existing in any state, is wisely left by the constitution of the United States exclusively to the care, management, and disposition of that state; and if it were in my power, I would not alter the constitution in that respect. If misapprehension of my position needs so strong a remedy, I am willing to vote for an amendment of the constitution, declaring that it shall not, by any future amendment, be so altered as to confer on Congress a power to abolish or interfere with slavery in any state.\(^9\)

Such a proposal would probably not have violated Seward's principles. He already held slavery inviolate in the states where it existed, except through the actions of those states themselves. Moreover, his proposal did not preclude an amendment directly

\(^9\)Ibid., p. 344.
abolishing slavery without going through Congress, and it referred to
states, thus excluding the District of Columbia.

He went on to suggest that Kansas ought to be immediately ad-
mitted, and that a convention of the people might be called, after the
current crisis had calmed itself, to consider constitutional amendments
dealing with the other territories.

He asserted that he was ready to vote for any laws "which shall
be deemed necessary to prevent mutual invasions of states by citizens
of other states, and punish those who shall aid and abet them."

Finally, he declared himself in favor of two Pacific railroads to help
bind the nation together physically.90

As he moved toward the conclusion of his speech, Seward perhaps
made the most concise statement of the philosophy which had guided
him in his political actions which is to be found in any of his speeches.

If, in the expression of these views, I have not proposed
what is desired or expected by many others, they will do me
the justice to believe that I am as far from having suggested
what, in many respects, would have been in harmony with
cherished convictions of my own. I learned early from
Jefferson that, in political affairs, we cannot always do what
seems to us absolutely best. Those with whom we must necessarily
act, entertaining different views, have the power and the right
of carrying them into practice. We must be content to lead when
we can, and to follow when we cannot lead; and if we cannot, at
any time, do for our country all the good that we would wish, we
must be satisfied with doing for her all the good that we can.91

90Ibid.

91Ibid.
Seward concluded in a manner that was conciliatory, yet firm. He avowed his hope for the rational continuance of the Union, but seemed to be expressing the veiled threat that it would be continued one way or the other. I know that we are in the midst of alarms, and sometimes exposed to accidents unavoidable in seasons of tempestuous passions. We already have disorder, and violence has begun. I know not to what extent it may go. Still my faith in the constitution and in the Union abides, because my faith in the wisdom and virtue of the American people remains unshaken. Coolness, calmness and resolution are elements of their character. These have been temporarily displaced, but they are reappearing. Soon enough, I trust, for safety, it will be seen that sedition and violence are only local and temporary, and that loyalty and affection to the Union are the natural sentiments of the whole country. Whatever dangers there shall be, there will be the determination to meet them; whatever sacrifices, private or public, shall be needed for the Union, they will be made. I feel sure that the hour has not come for this great nation to fall. This people, which has been studying to become wiser and better as it has grown older, is not yet so perverse or wicked enough to deserve so dreadful and severe a punishment as dissolution. This Union has not yet accomplished what good for mankind was manifestly designed by Him who appoints the seasons and prescribes the duties of states and empires. No; if it were cast down by faction today, it would rise again and reappear in all its majestic proportions tomorrow. It is the only government that can stand here. Woe! Woe! to the man that madly lifts his hand against it. It shall continue and endure; and men, in after times, shall declare that this generation, which saved the Union from such sudden and unlooked for dangers, surpassed in magnanimity even that one which laid its foundations in the eternal principles of liberty, justice and humanity. But neither Seward's speech nor his generation saved the Union short of war and the sword. Probably by this time it was too late.

92Ibid.
Perhaps the conflict really was irrepressible, in a broader sense than Seward ever realized.

As an artistic creation, few, if any speeches, ever have achieved the classical ideal of discovering all the available means of persuasion. But this one came strikingly close. As far as logical appeal is concerned, Seward included an impressive series of arguments as to why disunion was the wrong course of action. From an ethical point of view, he left no doubt as to his position and that of the Republican party insofar as he could determine that party's position on the great issues of the controversy. The South could have found no grounds in this speech for secession. Instead, they found a positive attempt at conciliation, and offers of everything Seward could reasonably concede short of abandoning all the principles upon which the campaign of 1860 had been waged. And his use of pathos designed to arouse patriotic sentiments of all the citizens everywhere, placed his appeal above partisanship and sectionalism.

In evaluating the pragmatic effectiveness of the speech, we note that it was a failure in the same sense that Lincoln's inaugural was a failure. It did not prevent war or preserve life. As to its effect on the immediate audience which heard it and the secondary audience which read it much has been said of contemporary comments in Chapter II.

Although listened to with great attention, and regarded by many as a great speech, this address offended many. Some thought that he had
abandoned his anti-slavery position; others that he had been unwilling to propose reasonable compromises. Such is our human nature that we tend to perceive the utterances of others in context with our own passions of the moment. In making this observation, a writer for the National Intelligencer asserted:

We today give at length the speech delivered by Mr. Seward on Saturday last, in elaborate statement of his opinions and views with regard to this critical period in our civil history. In so doing, we are influenced not only by considerations of respect for the acknowledged ability which the distinguished speaker brings to any subject that he discusses, but because, as the most eminent "representative man" of the Republican party, he may at all times justly claim a wide audience for his utterances in the National Legislature, and at no time more justly than at the present day. As it is known that he has been selected by the President-elect to fill the first place in his Cabinet, and as it is understood that Mr. Seward has signified a willingness to accept the appointment thus tendered, our Southern readers have a right to know the purposes and policy of the incoming administration, as those purposes and that policy are foreshadowed by the future Secretary of State.93

The editor, apparently aware of his past misgivings concerning Seward's political conduct, then added:

Whatever we may have found to object to in the past course or theoretical opinions of Mr. Seward, we are glad to recognize in this enunciation of his administrative principles the marks of a practical statesmanship which does him honor. Not disguising that he has abated somewhat from his individual views of political expediency, in order to conciliate a wider range of public opinion, and candidly professing a willingness to waive questions of disputatious and dogmatic policies in the presence of dangers the most imminent threatening the very existence of the nation, Mr. Seward has undoubtedly interpreted aright the highest duty of the statesman and the patriot at this crisis. Whether the practical

93Intelligencer, January 14, 1861, op. cit.
measures which he suggests as a basis of adjustment are sufficient to meet the exigencies of the case presented for present consideration, is a question which each man will perhaps decide somewhat differently, according to the standard of right and justice which he has erected in his own mind; and we shall not, therefore, be surprised to find at the North as earnest dissent from some of Mr. Seward's positions, on the alleged ground that they concede too much, as of exception at the extreme South because they do not concede enough to meet all the demands of the hour.94

In concluding his analysis the author expressed the hope that Seward's moderating influence would heal the wounds between the North and the South.

At any rate, it will be admitted on all hands that Mr. Seward has spoken discreetly in the matter of our pending complications, and has worthily addressed himself to the task of conciliation, when it would have been easy, under the inspirations of that ambition of which he has sometimes been accused, to kindle to a leaping flame the smoldering fires of sectional discord. Let us hope at least that the spirit which he has invoked may, in any event, moderate the resentments of the hour, and that the party which recognizes in him its great leader may win back, by this preferred olive-branch, the waning allegiance which, at the South, is in danger of being changed into fierce disloyalty by precipitately casting the sword into the quivering balance.95

We have seen in the "Higher Law" speech that Seward often went beyond the wishes of his close associates in stating his position. In this case, his wife apparently did not consider the Union as important as did Seward. According to Sharrow:

After Seward's January 12 speech, his wife bitterly criticized what she considered his sacrifice of anti-slavery

94Ibid.
95Ibid.
principles on the altar of nationalism and warned her husband that he was in danger of following Daniel Webster to "an unhonored grave." 96

But Sharrow, himself, assigns the highest motives to Seward in making this address.

Seward's willingness to compromise was undoubtedly motivated by his nationalism—his desire to maintain the integrity of the Union. Failing in the attempts to keep the Deep South in the Union, he felt the offer to compromise was essential in the fateful decision which the border states were called upon to make. 97

Bancroft feels that Seward was one of the few to demonstrate real statesmanship in the tense months before the war, and cites this speech as an example in point.

Seward's patriotic eloquence was so impressive that more than one Senator was seen to express his sympathy in tears. If the plan was inadequate it was because human ingenuity was inadequate to the task. Considering the actual conditions and what was most urgent at that time, there is reason to believe that this was as wise, as patriotic, and as important a speech as has ever been delivered within the walls of the Capitol. If Seward had spoken as most of the Republicans had done, or if he had gone no further than Lincoln had even confidentially expressed a willingness to go, by March 4th there would have been no Union that any one could have summoned sufficient force to save or to re-establish. To Seward, almost alone, belongs the credit of devising a modus vivendi. But the country was too excited to estimate justly the value of such a speech. 98

96 Sharrow, op. cit., p. 302; Seward papers, Mrs. Seward to Seward, January 19, 1861.

97 Sharrow, op. cit., p. 324.

98 Bancroft, op. cit., II, p. 16.
It seems almost a disservice to Seward to end the account of his career with his Senate speech in 1861. He went on to serve as Secretary of State during the most trying days of the Republic, and filled this capacity so well that Bancroft was led to remark:

Notwithstanding his limitations, Seward stands in the front rank of political leaders, both on account of the talents he displayed and services he rendered to his country. And he holds first place among all our Secretaries of State.99

The scholar who wishes to appreciate fully the great political career of Seward may with profit read the historical accounts of his role as Secretary of State in any of the biographies to which we have referred in this study, and particularly in Bancroft's second volume.

The principal concern of this study, as we have seen, is "The Speaking of William Seward: 1845-1861." Seward made speeches, of course, before 1845 and after 1861, but historians agree that the sixteen-year period preceding the Civil War constitutes the most productive era of his rhetorical career.

It was during this period that he achieved fame as a criminal lawyer in the Freeman case and as an epideictic speaker in the Adams' eulogy. More important, it was in these years that his deliberative speaking contributed significantly to his rise as one of the foremost political leaders in America.

99Ibid., p. 528.
In examining the speeches presented by Seward during the designated period, we have presented an overview of the man, his career, his audiences, and his techniques of rhetoric. It remains for us, in Chapter VII, to summarize and evaluate the distinguishing characteristics of Seward's rhetorical practice.
CHAPTER VII

SUMMARY AND CONCLUSIONS

It would seem that the findings of this study may best be synthesized under four general headings: (1) the period, reviewing the attitudes and forces at work in the society in which William Seward lived and spoke; (2) the speaker, briefly reconsidering the career of William H. Seward and the events which shaped that career; (3) the speaking, discussing the important and definitive characteristics of Seward's rhetoric; and (4) general considerations, making certain observations which may be useful to other students employing the historical-critical methodology.

The Period

If one word could be used to describe the period immediately preceding the American Civil War, the word would be "emotional." General emotionalism ran rampant, to the point where the typical audience, particularly at crises periods, would have been highly volatile—almost explosive. This general characteristic may be sub-divided and analyzed.

This was a period of great material expansion and progress. The nation was rapidly moving westward, the population was exploding,
and the industrial revolution was in full swing. The Americans were proud of these accomplishments, and proud of the success of their experimental form of government. The attitude engendered by these accomplishments might be referred to as "nationalism."

Although progress was by no means limited to any one area of the country, different areas were growing in different ways. Particularly significant were the differences between the Old South and all other sections. Each area developed certain distinguishing features, and in the South there developed almost a separate national consciousness. This tendency for the nation to fragment may be described as "sectionalism." Throughout the pre-war period, these various sections sought to receive favors from the same central government. Most of their differences were only temporarily settled through compromise.

The great prosperity of the nation, the rarity of failure, and the strong sectional identity which was growing, combined to produce an attitude of extreme confidence which bordered on foolhardiness. As time went on, the sections became less and less willing to compromise their differences, and sectional feelings were lifted to the level of principles.

The culture of the South remained relatively stagnant, based as it was upon a simple agricultural economy with clear-cut class distinctions. The North, on the other hand, went through a rapid succession of "isms" or reform movements. These included woman suffrage, abolitionism, temperance, religious revivals, and free-love
movements, among others. There was a constant and prevailing feeling of religious emotionalism, or "Protestantism."

Ante-bellum America was an oral society. The telegraph and the newspaper were becoming important, but most of the movements were led by speakers, whose messages were presented and then distributed broadcast in pamphlet form. Stump speaking was in its vogue, and the people were always ready to listen to the orators of the day.

The leaders, particularly the religious and political leaders, exploited these attitudes to their own ends. With the northern leaders bewailing the presence of a slave aristocracy, and the southerners preaching the fear of radical abolitionism and later of "black Republicanism," it became progressively harder for realistic compromise to occur.

In the final years preceding the Civil War, between 1855 and 1861, the nation endured the break-down of existing political parties, a wide-spread religious revival, and a financial panic. At the same time, the struggle for Kansas, the John Brown raid, and the assault on Charles Sumner in the United States Senate all provided ammunition for the orators of the time to use in inflaming the passions of the people. Such a situation required only a match to set off the great explosion. The election of Lincoln provided the catalyst, and the war was on.
The early life of William Seward is discussed in detail in Chapter III, just as the ante-bellum period is covered in Chapter II. Seward was a child of intellectual precociousness and relatively sparse physical build. He was chosen by his family as the child to receive the most education, and he received this education at various small schools, attending high school at Farmer's Hall Academy and Goshen Academy, and college at Union College of Schenectady, New York.

Seward received early public speaking experience in debating societies in both high school and college. He later remarked that the most valuable part of his college training had been his experience as a member of the debating society. His college curriculum was also well-suited to the development of a public speaker, as it included emphasis on classical works, rhetoric, and moral philosophy.

Upon graduation, Seward continued his education by reading law in several offices. He also continued his public speaking by joining with other young lawyers in New York in a group which performed mock trials, declamations, and orations. He set up his practice in Auburn, New York, in partnership with Judge Miller, whose daughter, Frances, soon became Mrs. William Seward.

Seward's political philosophy was shaped by his contact with two men—Thurlow Weed, who became so successful as a politician in the Albany machine as to be called "Dictator"; and John Quincy Adams, who was known for his high ideals and non-partisanship. Among the things
to which Seward dedicated his political career were: anti-slaveryism, which had been very important to him since his early exposure to slavery while still a child; internal improvements; reform, particularly with regard to election procedures, treatment of criminals, and treatment of the insane; nationalism and manifest destiny, which he demonstrated throughout his career, and which culminated in his purchase of Alaska as Secretary of State.

He received his first significant political experience when a series of strange and interesting events elected him to the state senate on the Anti-Masonic ticket in 1830. This provided dual experience, for at that time the New York senate served as both a legislature and a court of last resort. Seward also had the advantage of being a member of a decided minority, which gave him frequent speaking opportunity, and placed him under fire in heated debate.

Seward was the unsuccessful Whig candidate for governor in 1834, and was elected to that office in 1838, serving until 1842. During his two terms of office he promoted internal improvements, and took a firm stand against the extradition of individuals accused of having aided fugitive slaves.

From 1842 to 1848, Seward expanded his private practice of law. He continued to make numerous public speeches of both political and occasional nature. In 1846, he defended a friendless and insane Negro named Freeman in a murder trial. This defense, undertaken against the advice of his friends and in the face of threats, showed Seward's
great courage, and was carried out with such skill as to earn him national and international fame as a jury lawyer. In 1848, he presented a eulogy on John Quincy Adams, in which he demonstrated great sincerity and an acute perception of historical events.

From 1849 to 1855, Seward served as United States Senator, and worked within the Whig party in an attempt to convert that party to a strong anti-slavery stand. He showed great devotion to his anti-slavery principles, while, at the same time, remaining loyal to the party even when it failed to take as firm a stand as he wished. Among the significant speeches given in this period and analyzed in Chapter V were his speech to the Cleveland Whigs in the campaign of 1848; "California, Union, and Freedom" (the "Higher Law") speech, delivered in the Senate in 1850; and his addresses on the Kansas-Nebraska bill, delivered in the Senate in 1854.

From 1855 to 1861, Seward continued to serve in the United States Senate. During this period, he was a major force in strengthening the Republican party and educating the people of the North to its cause. He was regarded as a contender for the presidential nomination of 1856, but, uncertain of his chances and unable to obtain Weed's support for this campaign, he withdrew from contention. In 1860, he made a bid for the nomination, and led on the first ballot, but was ultimately defeated by Lincoln, who was regarded as the moderate and available candidate.
Some of the major speeches of this period, analyzed in Chapter VI, were two discourses on the "Advent of the Republican Party" and "The Contest and the Crisis" in 1855; a speech on the Kansas struggle in which he strongly attacked President Pierce in 1856; another address on Kansas in 1858; the "Irrepressible Conflict" in 1858; and his attempt to hold the Union together in a speech of January 12, 1861.

The Speaking

The speaking of Seward may best be approached by obtaining an overview of his rhetorical objectives. In the Freeman speech of 1846, Seward realized that he had little chance of obtaining the immediate verdict. He was speaking for possible appeal, and to plead with a larger secondary audience for better understanding of the insane. In the Adams eulogy, although it had some political over-tones, Seward was apparently speaking to honor his subject and for posterity. From 1848 to 1855, he spoke to support his Whig party, and to convert the people of the North and of the party into a firmer anti-slavery stand. This led ideally into the role which he assumed in the new Republican party from 1855 to 1860—that of participating in a massive campaign to re-educate the people of the North into accepting the party as the major opposition to the Democrats, and of molding the party itself into a strong anti-slavery force which he hoped to lead into battle. We see, then, two overwhelming features of his speaking. First, he was speaking frequently to a secondary audience. There is ample proof, as we have noted, in his letters, his speeches themselves, and the opinions
of his biographers, to support the concept that he felt that the major effect of many of his addresses would come through their circulation as pamphlets or newspaper articles. He spoke with the hope that his principles would be ultimately, not immediately vindicated. Second, he thought of many of his speeches as part of an overall educational campaign, designed to bring the people around to ultimate support of those principles.

Essential to an understanding of his rhetorical techniques is the fact that Seward's analysis of his audience, as constituted by the citizenry of the North, and his adaptation to that audience are impressive. He used appeals to nationalism with great effectiveness whenever threats of disunion occurred. His central theme was that the Union was so valuable to all citizens that no state would really withdraw. This theme is particularly evident in the "Higher Law" speech of 1850, and the "State of the Union" speech in 1861. He was also able to use sectionalism with considerable power. Throughout the entire series of speeches against slavery in the Senate and on the campaign trail, Seward was accustomed to trace the historical usurpations of the slave power and emphasize the material accomplishments of the free North. Good examples of this are found in the Cleveland speech of 1848 and the "Irrepressible Conflict" speech of 1858. He appealed constantly to the religious and anti-slavery sentiments of his audience. Probably none of his slavery addresses lack this feature, but the best example is the "Higher Law" speech of 1850. The Freeman speech of 1850 also
features strong religious overtones.

As we observed in Chapter II, Seward had high antecedent ethos with much of his audience, particularly with the foreign-born citizens and the strong anti-slavery elements of the North. In order to stress his good moral character, he frequently pictured himself as a martyr who stuck by his principles with no personal gain in sight. This is very evident in the Freeman appeal, the "Higher Law" speech, the Cleveland address, and all of the Kansas speeches. To enhance the image of good sense, Seward frequently reminded his audiences of his past prophecies. Throughout the slavery struggles in the Senate, for example, he continually maintained that slavery agitation could not be stopped by compromise and then reminded the people when the issue came up again that he had warned them. And to give the impression of good will, Seward would seek to identify with his audience. An excellent example of this is found in the Cleveland speech when he outlined the objectives which the listeners would all have in common, and admitted that he was no more fully satisfied with the Whig candidate and platform than they were.

Seward's logical proof was strong throughout. He was especially effective in his use of extrinsic proofs. In the Freeman case, for example, he utilized legal precedent in an impressive manner. He showed himself to be thoroughly researched on the subject of legal insanity and to be proficient in selection of the most appropriate evidence. In the debates over the Kansas-Nebraska bill, he used the
reports of the Douglas committee to great advantage by quoting from them to demonstrate inconsistencies. And his references to Pierce's message in the Kansas speech of 1856 were equally persuasive. Seward's intrinsic proof was similarly convincing in most of his speeches. He used historical analysis to clearly prove the aggressive intent of the slave states in numerous speeches, and his analysis of the various parties and their weaknesses is forceful in the 1855 address on "Advent of the Republican Party." His common-sense reasoning as to why no state could rationally secede from the Union also shows his own commitment to logical proof.

Seward sometimes made use of truly eloquent pathetic proofs. Twice he called upon visually present evidence in a masterful manner—once when he asked the jury to look with sympathy upon the demented Freeman and once when he urged the Senate to note the contrast between the young and smiling page boy and the aged and weeping secretary in his "State of the Union" speech. His use of emotions resting upon nationalism, sectionalism, and religion may be found throughout his speaking, and especially in the "Higher Law" speech. His word choice gave most of his thoughts on liberty and equality a sincerity and dignity which evoked considerable pathos even in the reader. This was especially evident in the Freeman case, the Adams' eulogy, and the "State of the Union."

Briefly considering Seward's speaking according to the classic canons—excluding memory—we see that his invention was enhanced by
his ability to analyze his audience, and to present a favorable ante-
cedent ethos which was reinforced during the speech. Moreover, it was
strengthened by his talent to blend and use intrinsic and extrinsic
logical proofs.

Seward's arrangement, as we have noted throughout, and particu-
larly in his deliberative speeches, took a semi-classical pattern.
He usually began with conciliation and ethos-building statements, moved
into a narration in which he outlined the arguments of the opposition,
refuted those arguments, established his own constructive reasons for
adopting the proposed course of action, and concluded with an ethical
and pathetic peroration. He frequently used questions to introduce new
divisions of the argument, and sometimes included an extensive histori-
cal review as a part of the introduction.

For the most part, his style is lucid and clear. This is
particularly true if we remember that he relied for much of his per-
suasive influence when the speech was read, rather than for the
immediate spoken effect. As we have noted, he was able to choose words
which enhanced the dignity and pathos of his message. Sometimes,
however, he became rather abstract in his wording, and used generali-
ties. This was especially true in the "Higher Law" and "Irrepressible
Conflict" speeches. As we have discussed in Chapter VI, his vagueness
and ambiguity in this latter speech made him highly vulnerable to the
attacks of enemies, and may have contributed significantly to his
defeat by Lincoln in 1860.
Seward lacked the physical attributes for effective delivery. As we have observed, he was a short, slight man, who was also handicapped by a weak and husky or raspy voice. To the extent that he relied on the effect of his speeches when read, this was no handicap. But he also learned to compensate for the problem in his oral presentation through good invention, arrangement, and style; and through the development of an earnestness and sincerity which, as we noted in Chapter VI, was often able to 'rivet' the attention of his audience.

General Considerations

Aside from our findings in regard to William Seward and his speaking, we feel that this study warrants certain observations to other students of public address, and particularly to those who work with the rhetoric of this early national period. The first of these observations centers around the concept of the "secondary" audience. We have discovered overwhelming proof from letters, speeches, and biographers, as may be examined in the study proper, that Seward was often not concerned with the effect which his speech might have on the immediate audience. He planned it for a secondary audience which would never hear the speech but would read it in pamphlet or newspaper form. In some cases, it would appear that he did not even expect an immediate effect on the secondary audience, but hoped that the speech might develop maximum effect on the audiences of future years. To the extent that this is true of any orator, the critic would seem to be in error if he only stresses analysis of the immediately present audience, for
that audience may be irrelevant to the orator's real goals. Likewise, of course, in evaluating the orator's antecedent ethos, invention, style, and arrangement, the critic must consider the ultimate audience for which the message is intended, and the media (pamphlet, newspaper, or what have you) which will serve as a channel for the message. In some cases, the canon of delivery might be totally irrelevant to the orator's effectiveness.

It would seem advisable, then, that the critic begin by a searching analysis of the orator's intent with regard to audience, and that he should then consider that audience in detail before attempting to evaluate the orator. The more accurately the target audience can be determined, the more meaningful can be the critic's evaluation. In the present study, we have worked with a general picture of the northern audience. Perhaps it would be possible to make a more accurate determination of the exact areas in which particular speeches were heavily distributed and work from that base.

Since we have observed that much of Seward's speaking was viewed as part of an overall campaign of education and re-education, it might be interesting to analyze his peculiar role in the campaign. How did what Seward was doing in the campaign of 1856, for example, compare to what was being done by others? Was there centralized planning of the campaign? Was there truly an organization at work, or was each speaker performing independently? Such analysis, and the comparison and contrasting of various speakers working in behalf of the same cause,
is certainly a legitimate province for the rhetorical critic, and might help give rise to more uniform standards for evaluating the rhetoric of a period.

It would be interesting, moreover, to apply readability analysis to the speeches of Seward, or of other orators who intended that much of the effect of their speeches should come through the media of the printed page. How would the readability of their speeches compare to that of individuals who hoped for an immediate effect on the present audience? Perhaps one could even contrast a speech in which the orator was hoping for an immediate effect with one in which he hoped for secondary results. It is an old axiom that material which reads well does not make a good speech. How did the orators of the antebellum period handle that dilemma? Or did they consider it at all? All of these are hitherto unanswered questions raised by a consideration of the concept of the secondary audience.

Another question which arises out of Seward's rhetorical practice is the place of the abstract and catchy phrase. The two speeches of Seward which are most often remembered and mentioned are those which came to be known as the "Higher Law" and the "Irrepressible Conflict." Both of these commanded immediate attention and were widely read, and both seem to have worked to his ultimate disadvantage. The use of such catchy slogans is widely practiced today. How prone are audiences to seek out such phrases—even when they are not particularly emphasized by the orator—and remember them? What other speakers out of
history have been hurt or helped by such phrases? What effect do such catch phrases actually have in advertising? Here are questions which run the gamut of communications research—historical-critical, experimental, and descriptive. The questions which we have raised about the secondary audience and the catch phrase certainly do not exhaust the possibilities, but it is hoped that they may stimulate further inquiry.

In sum, we began this study in the realization that our inquiry would not be simple, but in the hope that it would be challenging and rewarding. It has certainly fulfilled expectations. Based on our findings about William H. Seward, we feel that he is frequently underrated, both as a statesman and as an orator. Throughout the trying years before the war, he faced the almost impossible task of combining devotion to principle with loyalty to party, and it would appear that he fulfilled that task as well as could reasonably be expected.

He frequently showed real courage of his convictions, as in the Freeman case, the "Higher Law" speech, and the "State of the Union" speech in 1861. It seems evident that he was for the Union first, against slavery second, and willing to put himself third. William Seward was unquestionably ambitious, but in defeat he showed great magnanimity, as in 1860 when he took the stump for Lincoln. As an orator, he had inestimable effect in shaping the destiny of his country, if we but consider the secondary audience. In many ways, he was what he desired to be—the first statesman of his era. "He was faithful."
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