
Penn History Review

Journal of Undergraduate Historians

Volume 23, Issue 1 Spring 2016



Carly S. Mayer

*on African Americans and Military
Intelligence During the Civil War*

Aaron R. Senior

*on the Reaction of American National
Newspapers to the French Revolution*

Varun K. Menon

*on the Statecraft of the United States
Congress in the Age of Democratic
Revolutions*

Sahand K. Rahbar

*on the Influence of the New York Times
on Antiabortion Legislation in
New York*

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ABOUT THE REVIEW

Founded in 1991, the Penn History Review is a journal for undergraduate historical research. Published twice a year through the Department of History, the journal is a non-profit publication produced by and primarily for undergraduates. The editorial board of the Review is dedicated to publishing the most original and scholarly research submitted for our consideration. For more information about submissions, please contact us at phrsubmissions@gmail.com.

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LETTER FROM THE EDITOR

On behalf of the Editorial Board, I am proud and honored to present the newest edition of the *Penn History Review*. Since its inception, the *Penn History Review* has published select articles reflecting high-level scholarship, researched and written by undergraduates of the University of Pennsylvania. Additionally, this issue includes an article written by Sahand K. Rahbar, a junior at Princeton University. As one may expect, the *Penn History Review* is dedicated to publishing historical scholarship from all geographic and thematic areas; as a result, perhaps it is striking that this issue highlights one region in particular, North America. Furthermore, each paper revolves around topics pertinent to or in the same time period, the nineteenth century. While the decision to publish a selection of papers centered in the same region and century with overlapping themes was not purposeful, I nonetheless believe that these attributes strengthen and complement each piece. Indeed, the questions, concerns, and narratives addressed by each author emphasizes how the leading individuals discussed within each respective paper possessed a shared ethos and enthusiasm for making a difference upon our contemporary world.

The first article is entitled, “*Spies All Their Lives*”: *African American and Military Intelligence During the Civil War*, by Carly S. Mayer. This work highlights an otherwise poorly documented but vital strategy employed by the Union military during the American Civil War: the recruitment of African Americans as spies. In doing so, the Union infiltrated the South, gathered an immense amount of intelligence, and helped shift the balance of the war to save an otherwise splintering country. Specifically, the reader will understand the unique and natural skills African Americans provided, ultimately proving themselves to be one of

the most indomitable and furtive weapons that helped cause the collapse of the short-lived Confederate States of America.

The War That Congress Waged, written by Varun K. Menon, is the second work featured in this publication. This paper is a chapter excerpt of a thesis, which describes the setting and impact of the role of the United States Congress in asserting itself in American foreign relations from 1811 to 1826. In this particular chapter, the author notes how Congress' decision was led by the determined Henry Clay, who not only transformed the role of Speaker of the House, but who also used his powers to induce war between the United States and Great Britain starting in 1812. In this piece, the reader will realize how under Clay's leadership, Congress adopted a new means of authority that would impact the future role and history of the United States.

The third article in this issue is *The Fallacy of the Ideological Press: How American National Newspapers Reacted to the French Revolution from 1789-1793*, by Aaron R. Senior. The author introduces his research by noting the significance of the inception of national newspapers in the United States in the 1790s, then analyzes how three specific newspapers confronted and responded to the early developments of the French Revolution unfolding across the Atlantic Ocean. Indeed, the author demonstrates how national newspapers embraced and espoused their respective political ideologies; however, the author then distinguishes his work with careful analysis to discover that this relationship was not as resolute as historians previously believed. Indeed, the reader learns how newspapers altered national politics in the United States by not conforming to their expected political ideologies.

The final work printed is Sahand K. Rahbar's *"The Evil of the Age": The Influence of The New York Times on Anti-Abortion Legislation in New York, 1865-1875*. In this essay, the author objectively reviews how the emergence of *The New York Times*, particularly through an article written by Augustus St. Clair, galvanized the New York Legislature to reevaluate and compose

new laws pertaining to abortion. As the author points out, this decision by the state legislature is especially shocking when one considers that these amendments to the legal canon were codified quickly in an organized and efficient manner after a period of legislative dormancy regarding the issue. Ultimately, the reader grasps how *The New York Times* emerged as a leading newspaper and how it effected government in the American Postbellum Period.

Additionally, this issue presents abstracts submitted by seniors who undertook the challenging, yet rewarding, process of writing honors theses in history. In doing so, the *Penn History Review* promotes additional research and scholarship in the field of history, by offering its readership a preview of the eclectic and fascinating variety of topics. Congratulations to all of the senior honors students who have embarked upon this endeavor.

The Editorial Board also would like to extend a much deserved thank you to Dr. Siyen Fei, Undergraduate Chair of the History Department, and to Dr. Yvonne Fabella, the Undergraduate Advisor of the History Department. As a result of their advice, support, and advocacy, the *Penn History Review* demonstrates its commitment to publishing high-caliber original work written by undergraduate students. Moreover, the Editorial Board would like to thank both the faculty at the University of Pennsylvania and at other schools across the country who promoted this publication to their students and to those students who submitted their work for consideration. Finally, the Editorial Board wishes to express its gratitude to the Department of History and the University of Pennsylvania for providing us with the opportunity to expand and to enrich the field of history with unique and academic literature.

On a more personal note, I would like to thank all of the members of the Editorial Board for their efforts and dedication to making this issue of the *Penn History Review* a reality. Admittedly, it will be difficult to lose our graduating

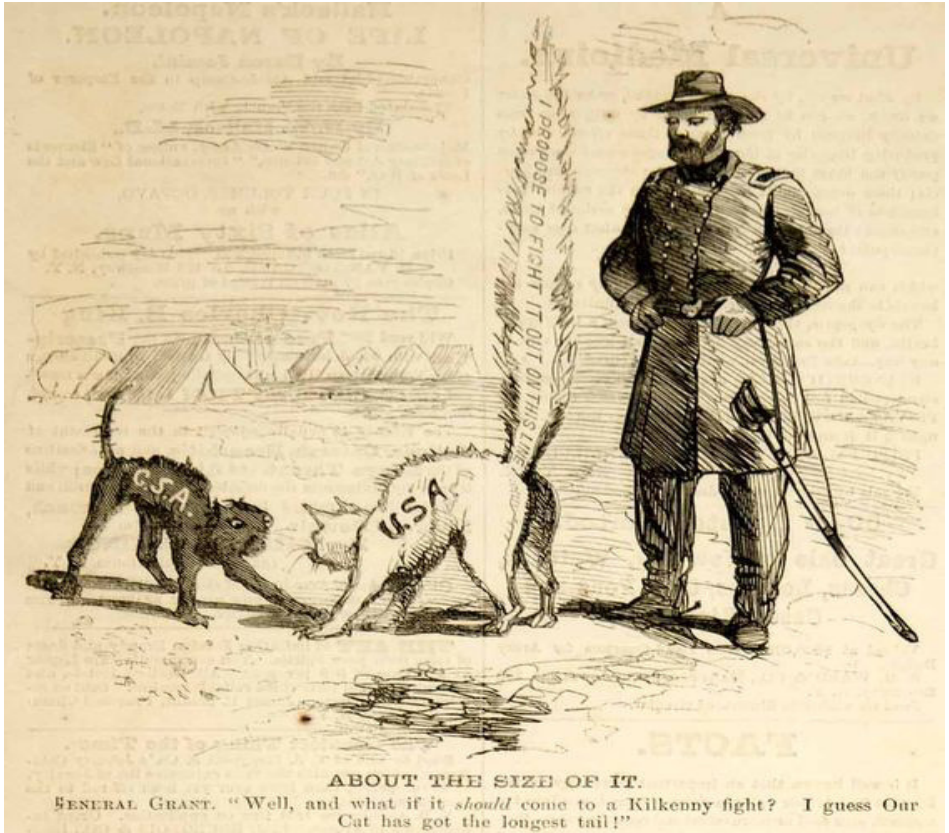
Letter from the Editor

editors, Kate Campbell, Leila Ehsan, and Taylor Evensen; they have contributed so much over the years. I especially want to thank and congratulate Taylor, our Editor-in-Chief *Emeritus*, for everything she has done, including her guidance and patience with me during this transitional semester. Nevertheless, I remain excited about this publication's future; it is with tremendous pleasure that this semester, we welcome two new editors to our team, Michael Torcello and Alex Weissfisch. Lastly, I want to offer my appreciation to my friends and family, whose encouragement and support cannot be overstated.

Congratulations to all of the editors and authors who have contributed to this Spring 2016 issue of the *Penn History Review*!

A handwritten signature in black ink, appearing to read 'Aaron', with a long, sweeping horizontal stroke extending to the right.

Aaron C. Mandelbaum
Editor-in-Chief



Kilkenny Cat Fight Cartoon with Union General Ulysses S. Grant,
published in June 25, 1864 issue of *Harper's Weekly*

“SPIES ALL THEIR LIVES”:
AFRICAN AMERICANS AND MILITARY
INTELLIGENCE DURING THE CIVIL WAR

Carly S. Mayer

In December 1863, an Irish-born Confederate officer of the Army of Tennessee concluded that only one measure could possibly save the slaveholders' republic. Major-General Patrick Cleburne, panicking about the sequence of devastating defeats suffered by his army, proposed that the Confederacy arm and emancipate its slaves. Such an assertion from a southern senior military officer was astonishing, to say the least. The Confederacy went to war to preserve the institution of slavery and to defend its right to exist as the only independent slaveholding republic.¹ Yet, Cleburne's memorandum starkly revealed the reality of the war—that slavery was no longer the “great...truth” that Confederate Vice President Alexander Stephens had claimed it to be in March 1861.² Over the course of the struggle, Cleburne insisted, the institution of slavery had become one of the Confederacy's “chief sources of weakness.”³ Although Cleburne's proposal was never adopted, his core contention highlighted the immense threat enslaved African Americans posed to the embattled Confederacy.

In the address to his fellow officers, Major-General Cleburne recounted the humiliating circumstances of the Confederacy during the war. “Every soldier in our army already knows and feels our numerical inferiority to the enemy,” he affirmed, and, “if this state continues much longer we must be subjugated.” Moreover, Cleburne identified “the three great causes operating to destroy us,” specifically, numerical inferiority of southern troops, inadequate supplies, and, most shockingly, the increasing military cost of slavery.⁴ He explained

that slaves worked actively against the Confederacy, serving as an “omnipresent spy system” and deterring Southerners from fighting Union troops because they had to ensure that their slaves were “not free to move and strike like the enemy.”⁵ Because of slavery, Cleburne affirmed, the South was forced to wage war “with the Union army in front and ‘an insurrection in the rear.’”⁶ Slaves had become, in every sense, “the enemy within.”⁷

Even prior to Cleburne’s realization of slaves’ contributions to Union military intelligence, southern planters and military officials recognized the immense problem of slave allegiance. Planters routinely complained about their slaves’ insubordination, unsure of how to control the restive population. These planters feared that slaves were endlessly assisting Union officials throughout the South, posing an acute threat to the Confederacy that was seemingly impossible to halt. From the civilian viewpoint, slaves, who were “absent[t] of the political ties of allegiance,” were utterly undermining the Confederacy; they had indeed become the Confederacy’s “most vulnerable point.”⁸

The reality was undeniable—enslaved, escaped, and freed African Americans greatly assisted the Union war effort. This thesis aims to uncover the military and naval intelligence contributions of African American men and women during the American Civil War (1861-1865). In particular, it focuses on why and how African Americans participated in clandestine activities—what made them excellent scouts and guides, how they contributed in Union campaigns, and the means they used to undermine the Confederacy on its plantations and in its households.

The independent slaveholding republic fell victim not just to Union forces but also, significantly, to the determined resistance of its enslaved population. The Confederacy’s fleeting existence demonstrates that, in so many ways, human chattel made history: they cemented the destruction of the Confederacy and the institution of slavery. War transformed enslaved men

and women into the “enemy within” that the Confederate South was simply unable to suppress.

In May 1861, Union Major General Benjamin Butler occupied Fortress Monroe, Virginia, which served as an important staging ground for naval operations and intelligence-gathering activities along the coastlines of the Carolinas. Beyond its strategic significance, Fortress Monroe served as the grounds where Butler and the region’s slaves forged the first alliance between the Union Army and the South’s enslaved population. Butler recognized that fugitive slaves possessed exceptionally valuable information regarding Confederate activities and a superior understanding of local southern terrain.⁹ Accordingly, he deployed fugitives’ talents against the Confederacy.¹⁰ When Butler was transferred from Fortress Monroe to the Department of the Gulf in early 1862 to lead “the land forces destined to cooperate with the Navy in the attack upon New Orleans [in Louisiana],” he knew that slave military intelligence would again play a critical role.¹¹ Thus, Butler recruited Abraham Galloway, a fugitive slave and northern spy, to assist in the perilous campaign.

This was far from Galloway’s first Union intelligence task. In April 1861, by the recommendation of abolitionist George Stearns, Massachusetts’s war leaders *recruited* Galloway to serve as a spy in the Confederacy.¹² Galloway did not stumble upon the Union camp in his attempt to escape the South nor did he beg for admittance into the camp as a safe haven; rather, in all certainty, he was sought after to participate in the northern intelligence network.¹³ Galloway routinely aided in Union military operations, traveling extensively behind enemy lines and risking his life infiltrating unfamiliar southern plantations.

The logic behind Galloway’s recruitment was seemingly incontrovertible. Who better to stealthily blend into Confederate society than a black man born and raised in the South? Who more adept to penetrate the Confederacy than an ex-slave who previously escaped to the North? And yet, Galloway’s

recruitment to the Union intelligence network marked one of the first instances that Union military leaders recognized the potential of slaves to undermine the Confederate war effort.¹⁴

At the start of the American Civil War, President Abraham Lincoln and the federal government were politically committed to defeating the South, irrespective of slavery.¹⁵ In his proclamation on April 15, 1861, President Lincoln promised “to avoid any destruction of, or interference with, property,” namely slavery.¹⁶ “Certain it is that the Republicans...are ‘no friends of slavery,’” Treasury Secretary Samuel Chase assured a prominent Kentuckian, “but it is just as certain that they have never proposed to interfere...with slavery in any State.”¹⁷ Thus, the fluid relationship between Galloway and Butler would not have been feasible in most Union commands.¹⁸ That spring, the prevailing military opinion was that a northern victory should pose no threat to the rights of southern slaveholders to hold African Americans in bondage. A few days after Butler occupied Fortress Monroe, for instance, Major General George B. McClellan, later commanding field general, reassured Virginia’s Unionists that he would not confiscate their slaves. Indeed, McClellan promised to fight “for my country and the Union, not for abolition...” and to “crush any attempt at insurrection.”¹⁹ Abiding by this sentiment, Union forces routinely vowed that they would not interfere with southern property, most essentially slavery, upon attacking the South.²⁰

Accordingly, when Major General Butler encountered slaves entering Fortress Monroe, he specifically labeled them “contraband of war” to obliterate any obligation to return them to slaveholders who claimed them as property.²¹ If his troops had acquired a Confederate wagon or mule, would they have contacted their rightful owners to return them? In reality, the Union troops simply would have put the acquired resources to good use. Thus, while Butler’s use of the term “contraband of war” was loose, his argument made logical sense. When he

justified his decision to the Union War Department, President Lincoln deemed it unobjectionable. In early August 1861, the United States Congress formulated the general principle into The First Confiscation Act, which ordered the forfeiture of any slaves utilized in direct assistance to the Confederate war effort.²² This resolve was directly tested at the end of August 1861, when Major General John C. Frémont, Commander of the Western Department, exercised stern measures to suppress guerrilla activity.²³ On August 30th, he declared martial law throughout Missouri, mandating, “the court-martial and execution of all persons taken with arms in their hands within Union lines.”²⁴ As a way to punish those who abetted southern partisans, Frémont ordered the property of active dissenters confiscated and their slaves declared free, asserting that the proclamation was of military necessity. President Lincoln contested the order, stating that the permanent future condition of slavery “must be settled according to laws made by law-makers, and not by military proclamations.”²⁵ Frémont was thereby instructed to rescind the emancipation provision. Accordingly, Butler’s “contraband” order and Frémont’s unsuccessful proclamation determined the limits of acceptable military interference with slavery during the first years of the American Civil War.²⁶

Growing recognition of fugitive slaves’ military value, specifically of their local knowledge and their experience to spy, scout, or guide Union troops, slowly eroded the policy of exclusion. Yankee Colonel Simon H. Mix of the 2nd New York Cavalry attested to their importance in assisting military expeditions into Confederate territory. “In all our expeditions in North Carolina we have depended upon the negroes as guides,” Mix claimed, “for without them we could not have moved with any safety.” He was particularly grateful for slaves’ guidance in the Low Country, as “nowhere in the swamps of North Carolina can you find a path where a dog can go that the negro does not understand.”²⁷ “Upwards of fifty volunteers of the best and

most courageous,” reported Vincent Colyer, superintendent of the poor in New Bern, North Carolina in 1862, “were kept constantly employed on the perilous but important duty of spies, scouts, and guides.”²⁸ In these tasks, Colyer recounted, slaves barely escaped with their lives, as they were pursued on several occasions by bloodhounds and taken as prisoners.²⁹ He affirmed that African American operatives were “invaluable and almost indispensable [sic]” and “frequently went from thirty to three hundred miles within the enemy’s lines” to “bring back important and reliable information.”³⁰ Such accounts confirmed that many Union leaders had begun to recognize the advantages and the value of slaves’ intelligence.

In March 1862, Congress instituted The Act Prohibiting the Return of Slaves, which barred Union soldiers from returning fugitive slaves to their owners. The new article undermined the Fugitive Slave Act of 1850—which legally required all runaway slaves to be returned to their masters—and marked a turning point in federal policy.³¹ In April 1862, Major General Abner Doubleday’s instructions to Colonel J.D. Shaul, Commander of the 46th New York Infantry, cited the new article of war in requiring his troops to treat fugitive slaves “as persons and not as chattels.” “Under no circumstances has the commander of a Fort or camp the power of surrendering persons claimed as fugitive slaves as this cannot be done without determining their character,” Doubleday affirmed. When asked by the commander if it would be better to exclude fugitive slaves altogether from Union lines, Doubleday responded, “...they bring much valuable information which cannot be obtained from any other source. They are acquainted with all the roads, path fords and other natural features of the country and they make excellent guides. They also know and frequently have exposed the haunts of secession spies and traitors and the existence of rebel organization. They will not therefore be excluded.”³²

A July 1862 article in the *Chicago Tribune* cemented this

opinion, advocating for an “immediate alliance with the slaves of rebels” as they were the most versatile guides, a sort of “live map.”³³ The article continued:

Oh, how must the Genius of rebellion have grinned, from her outlook, at the misguided wandering in an unmapped wilderness of an army of invasion! Maps! Useless works of the engineering art, when negroes, live maps, that could see, and walk, and talk, and point with the index finger—crowds of them—stood expectant within reach of our army, and hungered and thirsted to be employed to conduct us to the enemy by the driest and best paths—maps capable of leading us, with unerring certainty, through the woods to the lowest and weakest parts of the line of entrenchments the rebels had thrown up...aged maps, sold from plantation to plantation, through the Peninsula, and familiar from ancient coon-hunting, and still persistent night wandering, with every road and swamp in it...would have led our army right up to the places of weakness...I knew 108,000 men in April last who, under such guidance and such God-speed, would have stormed the gates of hell.³⁴

The *Chicago Tribune* reporter, like Doubleday, promoted the Union’s collaboration with slaves in gaining military intelligence.

Many Union military officials, however, resisted utilizing slaves in their military campaigns. “Not all Union officers welcome blacks into their lines,” explained Captain C.B. Wilder, Superintendent of Contrabands at Fortress Monroe, as “many

were suspicious of the abandoned and self-liberated slaves.” These officers “lacked a forthright commitment to emancipation” and “placed a higher value upon potentially loyal slaveholders than upon demonstrably loyal slaves.”³⁵ Specifically, Major General Don Carlos Buell, Commander of the Army of Ohio in Kentucky, sought to exclude all slaves from Union lines despite the fact that slaves provided “in every case the most reliable as well as important information of the rebel movements” to officers in Kentucky and Tennessee. In April 1862, the *Chicago Tribune* reported that Major General Buell received “the means of detecting officers and spies lurking in Nashville [in Tennessee],” critical information that enabled him “to nip a conspiracy in the bud and prevent an insurrectionary movement.” Nonetheless, Buell denied the intelligence of slaves, “...a people who are naturally enemies to those who hold them in bondage.”³⁶

Yet, other Union military officials quickly learned the value of African Americans’ willingness to provide intelligence and became staunch opponents of proslavery military policies. Initially, like most Union generals at this pre-emancipation stage of the war, Major General Ormsby M. Mitchel, commander of a division of the Army of Ohio, did not encourage slave rebellion. He scrupulously conformed to Buell’s orders regarding fugitive slaves. However, Mitchel’s subordinates denounced such obedience. One commander of an Ohio regiment offered his resignation in protest against Mitchel’s order—issued at the express direction of Buell—to expel fugitive slaves from the camps of their division. Characterizing the order as “repugnant to my feelings as a man,” the officer threatened to abandon his service if forced to obey it. Although only a few other officers and enlisted men took such a principled stance, several faulted Mitchel for “inconsistency in regard to the eternal negro question.”³⁷ Their resentment toward Buell’s solicitude for the rights of slaveholders, and of Mitchel’s subservience to Buell, was made blatantly apparent.³⁸

Military circumstances prompted Mitchel to dissociate himself from Buell's policy though. In late March and early April 1862, as the majority of Buell's army moved southwest from Nashville to join the other western armies at Pittsburg Landing, Tennessee, Mitchel's division marched south toward Huntsville, Alabama, in the heart of the Tennessee Valley plantation district. Deep in enemy territory and attempting to guard several hundred miles of railroad and river, Mitchel depended on slaves for information about Confederate concentrations and movements. "With the assistance of the Negroes in watching the River," Mitchel expressed, "I feel myself sufficiently strong to defy the enemy." He later revealed that African Americans were "our only friends" and that "in two instances I owe my own safety to their faithfulness."³⁹ In gratitude, Mitchel promised military protection to his slave allies, "who have given me valuable assistance and information." In May 1862, he wrote to Secretary of War Edward M. Stanton requesting the "protection of my government" for "slaves who furnish us valuable information." Like his subordinate, Mitchel affirmed that if his request were disapproved, "it would be impossible for me to hold my position."⁴⁰ Stanton endorsed the appeal. "The assistance of slaves is an element of military strength which under proper regulations you are fully justified in employing for your security and the success of your operations," Stanton replied, and to abstain from its use "would be a failure to employ means to suppress the Rebellion."⁴¹

Mitchel corresponded with Stanton one month later in defense of the slaves who assisted him. After reading a republished letter in *The Philadelphia Inquirer* that caused him "to fear that the Commanding General of the Army has returned to their masters, Slaves, to whom I promised the permanent protection of the Government of the United States," Mitchel wrote to Stanton attesting that these slaves "had rendered valuable services, and had obtained for me most important

information.” He begged for Stanton’s intervention on behalf of these slaves, for “if they fall into the hands of their masters, their lives will not be safe.”⁴² Assistant Secretary of War Peter H. Watson responded to Mitchel’s panicked letter, avowing that the newspaper’s statement had “no significant authority to sustain it” and thus Mitchel’s promise to the slaves was upheld.⁴³

At this pre-emancipation stage of the war, Mitchel’s appreciation of slaves’ assistance to Union troops fighting in the South was quite progressive. Even after January 1, 1863, Union military officers baselessly differentiated between fugitive slaves and outlined in a complex array the circumstances under which they should and should not be welcome in Union camps.⁴⁴ For example, Brigadier General Henry Hayes Lockwood, a commander of volunteers in the lower Potomac, affirmed that “military camps shall not be used as places of public resort or for idlers” and all should be denied admittance *except* those providing information. “Information will be sought for from all sources and rewards in money,” Lockwood declared, “with protection from danger from giving information may be promised to all, White and Black.”⁴⁵ There was, seemingly, a difference drawn between accepting slaves as fugitives and accepting the integral intelligence that they brought with them.

The value of military intelligence held by enslaved, escaped, and freed African Americans became undeniably apparent. “It is utterly impossible for us to subdue the rebels, without an alliance with their slaves,” the *Chicago Tribune* detailed in July 1862, as “we have everywhere been helpless without these blacks, or exposed to hap-hazard.” The report recounted numerous Union military blunders and claimed that “this alliance with the slaves would have saved the precious, time-wasting preparations.”⁴⁶ Moreover, Union Colonel of the 1st South Carolina Volunteers Thomas W. Higginson astutely noted that slaves “have been spies all their lives.” “You cannot teach them anything” with respect to clandestine activity, Higginson

revealed, and “I should not attempt to give them instructions... they would better be able to teach me.” Higginson realized that slaves had practiced dissemblance and stealth throughout their lives. Nearly from birth, they learned “to travel furtively at night, to communicate surreptitiously, and to defend themselves”; they already mastered the arts of masquerade, disguise, and forgery.⁴⁷

Abraham Galloway was chief among them. At the commencement of the war, he traveled to the Confederacy seeking “to go South to incite insurrections.”⁴⁸ Galloway joined Butler’s command at Fortress Monroe in May 1861 and “possess[ed] the fullest confidence of the commanding General.”⁴⁹ In the following two and a half years, Galloway deployed his covert intelligence against the Confederacy from the Chesapeake Bay to the Mississippi River, risking his life skirting slave patrols, enemy scouts, and Confederate army units. Reporting directly to one of the Union Army’s highest ranking field officers, Galloway seemingly played a significant role in Union intelligence in Virginia. In a letter to a colleague in the fall of 1863, Brigadier General Edward A. Wild, a colonel in the Army of the Potomac, succinctly noted Galloway’s service as a spy: “I would like to do all I can for Galloway, who has served his country well.”⁵⁰

Former slaves such as Galloway were uniquely suited to operate behind enemy lines: they were familiar with southern life, able to fade unobtrusively into local slave communities, and conditioned to living by guile and by stealth. African Americans utilized their local knowledge and their experience to guide Union troops through the southern terrain. Accustomed to traveling furtively between southern plantations, they “were as thoroughly acclimated as the black snakes and alligators that bask in these Southern waters.”⁵¹ Additionally, African Americans’ knowledge of the physical geography was especially helpful to Union soldiers. When two Northerners escaped from a Confederate prison camp in Columbia, South Carolina, they chanced upon a large plantation in Pickens District. The plantation’s slaves readily

“provided information about the local terrain, the movement of Confederate troops, the location of practical supplies, and the presence of rebels and political sympathizers alike.” They also advised the soldiers “to stop at the home of John W. Wilson, a strong Union man.”⁵² Virtually everywhere Union soldiers traveled, they encountered slaves such as these ready to provide geographical information about the local terrain, the movement of Confederate troops, the location of pickets and armaments, and the presence of rebels and political sympathizers alike.

Additionally, slaves crafted maps of the South, consisting of paths unknown to their masters. Such cartographic diagrams—shared amongst slaves and with Union troops—illustrated “the shortcuts and winding paths that crisscrossed the land and plantation boundaries and led out into the woods, along which people and goods moved clandestinely.”⁵³ When W.L. Curry of the 1st Ohio Cavalry was cut off from his command south of the Tennessee River and was seeking safety, he met “a colored man going to mill with a sack of corn on his back” who revealed that he was only ten miles away from his destination. “He directed me the way I should go,” Curry recalled, “and cautioned me to keep away from public roads, as the country was full of rebel cavalry and I was liable to be picked up at any moment.”⁵⁴

Similarly, James Pike, a Texas-born white Union spy, received vital assistance from slaves he encountered while struggling to find his way back to his command in northern Alabama in the late summer of 1862. Having spent the night soaking wet after falling into a swamp, Pike chanced upon a plantation, where he befriended the working slaves and sought out their assistance. One young slave guided Pike away toward Huntsville, Alabama. Pike recounted, “My guide seemed to be perfectly at home in the swamp, and piloted the way for three miles over a string of logs, which seemed to be arranged by accident, and not design, so as to form a complete chain across it, so that we were landed on the opposite side without wading a

step.”⁵⁵ Curry and Pike, astounded at the secret pathways that were revealed to them, were lucky beneficiaries of slaves’ surreptitious travel methods.⁵⁶ Such instances affirmed that “contrabands” provided “some of the most valuable information” regarding the “position, movements, and plans of the enemy, use of topography of the country.”⁵⁷

African Americans’ greatest concealment was, naturally, their skin color, which allowed them to observe, eavesdrop, and carry back information to Union lines without suspicion. “Slave cover” rendered African Americans “so ubiquitous” in a southern household “that neither the table, the parlor, nor the sleeping room has any secrets from them.” They “catch up on everything that is said,” a *Chicago Tribune* reporter attested in August 1861, and “their opportunities for getting information are vastly better than those of the poorer class of whites...”⁵⁸ William Robinson, a driver and house servant on a North Carolina plantation, was “the kind of slave whose mobility and access to white conversations provided him with valuable information and the means to relay it.”⁵⁹ Although he was illiterate, he nonetheless outfoxed slaveholders by learning how to “listen carefully to every conversation held between white people.”⁶⁰ According to the *Chicago Tribune*, slaves such as Robinson “hung about groups of whites,” their “countenances unutterably stolid, or grinning with stupid indifference,” as if they neither heard nor understood, yet actually retained and transmitted everything said.⁶¹ In his autobiography, late nineteenth century black activist Booker T. Washington recounted that slaves “got knowledge of the results of great battles before the white people,” owing to the clever machinations of the bondman assigned to pick up the mail. “The man who was sent to the office would linger about the place long enough to get the drift of the conversation from the group of white people,” Washington revealed, and “the mail-carrier on his way back to our master’s house would as naturally retail the news that he had secured among the slaves.”⁶² In these

ways, slaves were constantly a step or two ahead of their masters.

Union military officials such as Lieutenant Colonel Josiah Given, a commander of an Ohio regiment, benefited from such covert activities. While stationed in Tennessee in December 1862, Given received information from a slave named Johnston, who arrived at his pickets and informed him “that he overheard [a party of the southern cavalry] tell his master that they were going to a certain point on the road from Shelbyville to Fayetteville that night and would attack and capture a supply train that was to pass there in the morning.” Acting upon this information, Given sent two infantry companies, accompanied by Johnston who served as a guide, to surround and to capture the enemy. “They reported to me to have found everything just as [Johnston] represented,” Given attested.”⁶³ Simply by working as human chattel within southern homes, slaves were capable of utterly undercutting those who were fighting a war to keep them in bondage.

“Slave cover” proved so effective for Union intelligence that Sarah Emma Edmonds, a white northern woman, disguised herself as an African American male to infiltrate the Confederacy, crossing gender and racial lines. Edmonds “dyed her skin with silver nitrate, donned a minstrel wig, and posed in a double disguise as a man and an African American.”⁶⁴ Playing the role of a man named “Cuff,” she worked in Confederate kitchens and ramparts, and collected information on troop figures, fortifications, and morale. “Of one thing I am sure,” the *Chicago Tribune* reported, “that the negroes, whose cunning and duplicity are wonderful, have a pretty fair idea of what is going on, and only await the word to work fearful mischief.”⁶⁵

Beyond their own aptitude for clandestine activities, African Americans advantageously exploited the ways in which white men perceived black men and defined the American Civil War. At the war’s onset, the majority of white men, northern and southern, did not seriously consider African Americans

part of the war effort.⁶⁶ Historian Stephanie McCurry explains that whites on both sides of the war viewed the conflict as the “Brothers’ War,” meaning white man against white man, not one in which slaves were included to participate. It was “the brothers who brought it on in their (divided) capacity as the people,” she explains, “and the brothers assumed it would be theirs to fight.”⁶⁷ Despite being excluded from political life (i.e. citizenry), slaves were counted, as labor, in the southern war effort; Confederate white men believed firmly that slaves were one of the Confederacy’s “most potent elements of strength.”⁶⁸ McCurry reveals that Confederates assumed adamantly that “the southern negro ha[d] no sympathies with Northern abolitionists.”⁶⁹ African Americans could not seek out more than that kind of oblivion, which allowed for their penetration of Confederate lands. Thus, African Americans were capable of taking advantage of the southern collective mindset that could not envision them as agents actively undermining the Confederate war effort.

In fact, southern slaveholders entered the war confident in their slaves’ devotion to the Confederacy. No master pondered if his slaves would participate in the war, McCurry notes, as “racial ideology provided all of the proof needed of slaves’ willingness to serve the masters’ cause.”⁷⁰ In his March 1861 “Cornerstone Speech,” Confederate Vice President Stephens explained that the Confederacy’s “foundations are laid, its cornerstone rests, upon the great truth that the negro is not equal to the white man; that slavery is his natural and moral condition.”⁷¹ Thus, the *Houston Telegraph* declared, “if slavery is what we believe it to be—the best form of society—it is not only fitted for peace but for the exigencies of war.”⁷² Human bondage was not considered a “necessary evil”—it was deemed a legitimate advantage to the southern war effort.

Such racial ideology solidified slaveholders’ risky undertaking. “One salutary result of the movement in favor of Southern independence has been the awakening of Northern

minds to the true relations existing between the negro and the white man,” wrote a Louisiana editor in March 1861. “The idea of the equality of race is a figment,” he maintained, as “the negro is happiest” when in servitude.⁷³ Accordingly, Chief of the Confederate Bureau of War Albert T. Bledsoe affirmed “that almost every slave would cheerfully aid his master in the work of hurling back the fanatical invader.”⁷⁴ “They would as soon suspect their children of conspiring against their lives,” a correspondent of the *Charleston Mercury* stated, affirming that planters had absolutely nothing to fear regarding their slaves in wartime.⁷⁵ In fact, “many masters...have actually called their slaves together and given them long pretended ‘explanations’ of the pending troubles,” the *Chicago Tribune* reported in August 1861, “and told them bug bear stories of what the Abolitionists in ‘Old Abe’s’ army would do to them if they ever got them in their clutches.”⁷⁶ Thus, enslaved men and women were to be entirely disposed depending upon their masters’ consent.⁷⁷ Early thoughts of slavery as an element of strength in the war rested upon the baseless assumption that slaves would simply join the southern effort.

As secessionists boasted about the advantages of slavery to a republic at war, their slaves sought to undermine directly that very notion. Nearly everywhere behind Confederate lines, slaves attempted to be informed of military and political developments, which, in a variety of ways, eroded the customary masterly authority. According to Booker T. Washington, slaves in the hills of western Virginia “watched...every success of the Federal armies and every defeat of the Confederate forces...with the keenest and most intense interest.”⁷⁸ Indeed, a former slave who lived in a remote section of east-central Texas divulged, “during them times just like today nearly everybody knows what going on” and that slaves helped “news travel pretty fast.”⁷⁹

Major General Butler’s experience outwitting local planters in New Orleans demonstrated slaves’ intimate knowledge

of southern activities. Following his successful amphibious assault on Hatteras Inlet in North Carolina in August 1861, Butler traveled to New Orleans and took command of the city. While attempting to bring order to the city, he implemented “speedy and condign punishment” of southern offenders, which fostered a prevailing belief “that nothing could be done there that [he] could not find out.” It was supposed that Butler had “the best spy system in the world.” That was quite true, yet not in the way Confederates imagined. In early June 1862, Butler was informed of a series of “sewing bees” taking place in the house of a Confederate woman, where secessionist women gathered to craft a flag to send to a Confederate New Orleans regiment. When he confronted the ringleader, she instinctively denied his charges. “General, you must be mistaken; you have been misinformed as to the person,” she claimed. Butler retorted, “Madam, if I were you I wouldn’t deny that which you know and I know. You have had that flag made; it is finished and in your house; and I should get it from there now, as I have seen fit to move about it, if I had to take down your house from roof to hearth-stone.” After revealing the flag, she asked Butler, “which of those girls gave information about this flag?” as she was certain that “it was not one of my servants.” “I have no objection to you secession women eating each other like Kilkenny cats,” Butler replied, “but you may accuse her unjustly. It may be your servants, which I suppose you have.” She adamantly retorted, “No, it was not my servants, General; that won’t do.” Butler later revealed in his private writings that, in truth, “the negroes all came and told me anything they thought I wanted to know.”⁸⁰

A similar instance of surreptitious slaves emasculating their ‘patriarchs’ was recorded in the diary of Julia LeGrand, the daughter of a successful Louisiana planter and a New Orleans resident.⁸¹ James Woodson, a slave of Jack Toney in Fluvanna County, Virginia, escaped from his cruel master and reached Union troops under the command of General Philip Sheridan,

then raiding Virginia. The fugitive directed Union soldiers to the home of his former employer and had his master tied up and whipped as Woodson's master had done to the former slave countless times. Woodson then guided the Union soldiers to abundant stores of armaments, which they took away or destroyed on the spot.⁸² Such activities aggravated Southerners and prompted them to further punish their slaves. Likewise, the slaves on John Williams's plantation in Helena, Arkansas, exposed their master's small supply of arms and ammunition. Lieutenant M.H. David recalled, "When upon investigating his 'negroes', I ascertained that Williams had in his possession [guns and rifles], which he had just denied saying he was an honest man and did not have any use for arms, or ammunition... consequently I had his house minutely searched..." David found many guns, some of which were even hidden within his wife's belongings. Similar to Butler's confession, David admitted, "The 'negroes' told me that [Williams] had [the arms and ammunition] the night before..."⁸³ Ultimately, masters least appreciated being undermined. A Louisiana editor and slaveholder, John H. Ramsdell characterized this best when he described his slaves as "ungrateful and vindictive scoundrels who took possession of their master's property, pointed his place of refuge out to the enemy, or voluntarily acted as guides to them in their marauding overspreading of our country."⁸⁴ Yet, slaveholders were helpless—the slaves were the enemy within.

The continuation of extensive black communication networks formed during the antebellum period allowed intelligence to travel over long distances, which further revealed the limits of slaves' supposed allegiance.⁸⁵ "Somehow or other, by some secret telegraph which cannot be detected, whatever one learns is speedily communicated to the rest," the *Chicago Tribune* reported in August 1861.⁸⁶ John Azor Kellogg, Colonel of the 6th Wisconsin Infantry Volunteer Regiment, found the slave "telegraph line" in Georgia's northeastern highlands particularly

useful in reporting on military activity within the region. Kellogg was so impressed with the information slaves provided that he characterized slaves “as a class, better informed of passing events and had a better idea of questions involved in the struggle between North and South, than the majority of that class known as the ‘poor white’ of the South.”⁸⁷

George Washington Albright, born a slave but who would later serve in the Mississippi State Senate as a free man in the 1870s, revealed a far better coordinated network of communication in Marshall County.⁸⁸ “That was my first job in the fight for the rights of my people,” he recalled, “to keep [slaves] informed and in readiness to assist the Union armies whenever the opportunity came.” Fifteen years old at the time, Albright had been “a runner for what we called the 4-Ls—Lincoln’s Legal Loyal League” and consequently, “traveled about the plantations within a certain range and got together small meetings in the cabins.”⁸⁹ The South Carolina planter and politician James Henry Hammond was certain that he could see the disconcerting results of such communication networks “on all the negro faces” on his plantation, Redcliffe, in late June 1863. Hammond took little comfort in the “peculiar furtive glance with which they regard me and a hanging off from me that I do not like.”⁹⁰ Such complaints resounded in the diaries and letters of numerous slaveholders remaining at home or refuted at other sites, and testified to what could be considered a “second front” opened by slaves within the Confederacy.⁹¹

Masters’ knowledge of the lengths to which their slaves went to assist the enemy obliterated their fictions of passivity and loyalty. “It eventually registered at every level of the Confederate regime, from the plantation to the high officials of central state authority,” McCurry affirms, and spawned a series of significant adjustments in the southern conduct of war. In August 1862, slaves from Beaufort, South Carolina and Savannah, Georgia arrived at Union lines carrying valuable information threatening

the safety of local Confederate troops. Accordingly, southern officers instructed to “make a reconnaissance up the country around Summerville, South Carolina” due to the “disturbance and alarm...caused by gangs of runaway negroes, leagued with deserters in that neighborhood.”⁹² A few months later, Confederate Colonel Lawrence Keitt confirmed the persistent need for troops in coastal South Carolina to guard all of the inlets along the coast. McCurry notes, “It was knowledge of those kinds of inland waterways and the number and precise position of Confederate troops, pickets, fortifications, and guns” that slaves “conveyed in astonishing detail to federal forces in Beaufort.”⁹³ Thus, Keitt assigned more men, whom he could not afford to relinquish from his own operations, to join the “three cavalry companies...and two infantry companies” already assigned to guard and patrol the coast.⁹⁴ Keitt’s understanding of vulnerable points of exit and entry along the coast of South Carolina demonstrated the challenges slaveholders faced in trying to keep the enemy out when there was another enemy to guide them in.⁹⁵

Similarly, in November 1862, a Confederate Major Jeffords ordered the removal of the slaves of Mr. Warren, an Ashepoo River planter, on “incontestable proof” that they were “in continual intercourse with the enemy” and thus endangered his picket line. Jeffords’ commanding officer confirmed the truth of the charges against local slaves. When he sent a scout “who pretended to be a Yankee” to test “one or two negroes near the enemy’s lines,” they provided him with “all the information an enemy could desire in regard to position and strength of my pickets.”⁹⁶ Union naval men operating on the South Carolina rivers relied on this type of intelligence to strategize and plan their operations. “It is a matter of notoriety,” lamented Confederate States District Attorney P.H. Aylett, “in sections of the Confederacy where raids are frequent that the guides of the enemy are nearly always free negroes and slaves.”⁹⁷

In an attempt to maintain southern order and prevent slaves from assisting the Union, the Confederacy created the “Twenty Negro Law” in October 1862, which provided exemptions from military service to those who owned twenty or more slaves.⁹⁸ Among planters and state officials, the “Twenty Nigger Law,” as white southerners called it, generated demands to protect plantations and curtail escape to the enemy. In late 1863, near the town of Charlotte, North Carolina, a planter requested a military exemption for his brother so that “order and discipline” might be better maintained “in the neighborhood.”⁹⁹ Women, who remained on plantations as their husbands served in battle, also voiced their fears publicly, writing hundreds of letters to state and Confederate officials imploring that men be released from military service to control slaves. “I fear the blacks more than I do the Yankees,” confessed Mrs. A. Ingraham of Vicksburg, Mississippi. In Virginia, one woman observed that living with slavery in wartime was like living “with enemies in our own households.”¹⁰⁰ The imperatives of controlling a restive slave population strained relations within the Confederacy and confirmed that slaves were, in fact, the Confederacy’s “open enemies” who were “well calculated to do [the South] immense injury.”¹⁰¹ The “Twenty Negro Law” was only the most conspicuous political example of how slaves, the “second front,” came to undermine the slaveholders’ republic.¹⁰²

Having first been seen as an element of strength, slaves unquestionably became the enemy within the Confederacy, as they fled readily to Union lines and provided Union soldiers with pertinent information. Thus, in January 1864, Major-General Cleburne proposed to emancipate slaves to “enlist their sympathies” in the Confederate cause, which blatantly acknowledged slaves’ potent impact on southern society. “Wherever slavery is once seriously disturbed, whether by the actual presence or the approach of the enemy, or even by a cavalry raid,” Cleburne recorded, “the whites can no longer

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FORM 1.

To be given by Persons claiming Exemption under the 24 clause of the 4th Article, 10th Section of the Act of Congress, Approved February 17, 1864.

THE CONFEDERATE STATES OF AMERICA:

State of Georgia

KNOW ALL MEN BY THESE PRESENTS, That We, *Lycurgus B Rees* of *Columbia* County, in the said State, *James B Neal* Secretary of *Columbia* County, and *John E Smith* Secretary of *Columbia* County, in the said State, are hold and firmly bound unto the Confederate States of America, in the penal sum of *Ten Thousand* Dollars to be paid to the said Confederate States of America; for which payment well and truly to be made and done, we bind ourselves, and each of us, our heirs, executors and administrators, jointly and severally, firstly by these presents.

Sealed with our seals and dated this *May* day of *May* in the year of our Lord one thousand eight hundred and sixty *four*.

Whereas, the above bound *L B Rees* has applied for the exemption of *himself* as a *Therman or Apprentant* under the fourth article of the tenth section of the Act of Congress, approved 17th February, 1864, entitled "An Act to organize forces to serve during the War," there being upon the farm or plantation of the said *Lycurgus B Rees* for which exemption is sought, *Fifteen* able-bodied slaves between the ages of sixteen and fifty, within the meaning of said act; and which application is to be granted upon the satisfactory execution of this Bond:

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bound *Lycurgus B Rees* shall deliver to the duly authorized Officer or Agent of the Confederate States, at *Thomson Depot Ga*, or at such other place as may be directed by the Secretary of War, or his duly authorized Officer or Agent, within twelve months from the date hereof, *Fifteen* *hundred* pounds of Bacon, or, at the election of the Government, its equivalent in Pork, and *fifteen hundred* pounds of salt Beef, (said Beef to be delivered on foot,) to be paid for by the Government at the prices fixed by the Commissioners of the State, under the Impoundment Act, and shall sell the marketable surplus of provisions and grain now on hand, and which he may raise from year to year while this Exemption continues, to the Government, or to the families of soldiers, at prices not exceeding the prices fixed by the Commissioners of the State, under the Impoundment Act; and shall in all other respects faithfully conform to the regulations of the said Act, under which the said *L B Rees* is exempted, according to the true intent and meaning thereof, (he being entitled to the commutation therein provided upon compliance with the terms thereof) then this obligation to be void and of no effect, or else to remain in full force and virtue.

Signed, Sealed and Delivered in presence of

Robert Martin J. P. } *James B. Neal* (SEAL)
John E. Smith (SEAL)

Application submitted by Confederate Private Lycurgus Rees in May 1864 for exemption from military service on the grounds of owning fifteen slaves, in accordance with the terms established by the "Twenty Negro Law" passed by the Congress of the Confederate States of America in October 1862

with safety to their property only sympathize with our cause.”¹⁰³ Slavery forced the Confederacy “to wage war with the Union army in front and ‘an insurrection in the rear,’” becoming “in a military point of view, one of our chief sources of weakness.”¹⁰⁴

Despite the fact that both sides in the war starkly recognized the clandestine activities of freed, enslaved, and runaway African Americans, their legacies are fleeting in historical memory. Cloaked in secrecy and often illiterate, African Americans’ covert work is rarely recorded. “Not surprisingly,” historian David S. Cecelski writes, “Galloway’s duties as a spy consigned the details of his missions to the shadows.”¹⁰⁵ Galloway, Butler, and other Union officers whom the former slave assisted were continually reticent about precisely where Galloway traveled and what he did; they put little, if anything, into writing. While Galloway occasionally alluded to his service as a spy in postwar years, he never divulged the particulars of his covert activities behind enemy lines.¹⁰⁶ An excerpt of a later speech to the Republican State Convention in Raleigh, North Carolina, in September 1867, demonstrated Galloway’s oblique manner of discussing his service as a Union spy: “I rendered good service to this government—if I didn’t do it publicly, I did it privately.”¹⁰⁷ In particular, how Galloway survived in the Deep South after being captured at Vicksburg in 1862 and suddenly reappearing at a Union camp in New Bern, North Carolina, in mid-1863 remains unknown. He was illiterate and never transcribed how he managed to escape from a Confederate stockade or prison camp in Mississippi and how he traversed from the heart of the Confederacy back to New Bern.¹⁰⁸ A later edition of the newspaper *Anglo-African* proved the only exception, as it alluded to Galloway being captured on the “distant Southern strand,” but provided no further information.¹⁰⁹ Most likely, Galloway never fully revealed his experience as a captured Union spy in Mississippi.¹¹⁰ His life as a slave, fugitive, and spy trained him to take caution habitually, hardly provoking him to publicize his

efforts.¹¹¹

Like Galloway's records, most military records of African Americans' covert activities are utterly incomplete.¹¹² What remains are military correspondences noting the assistance of "negroes," indistinctly termed together and devoid of any recorded identity. Nonetheless, each and every "negro" undoubtedly shaped the five-year conflict that resulted in a Union victory.

By April 1865, the reality was evident: the attempt to build an independent slaveholding republic had failed. The southern vision crumbled in the face of Union forces and the heroic resistance of its own enslaved population. Rather than furthering its own ideals, the Confederate war effort cemented the destruction of slavery.¹¹³ The war itself highlighted that the slaves' "war within" was boundless, that they undermined the Confederacy in ways unimaginable.¹¹⁴ The slaves proved, time and again, their vast abilities to assist the Union Army and Union Navy, so much so that by 1865, some Confederates even argued for the eradication of slavery to ensure their own safety and the survival of their own country.

The war itself produced the very conditions that enabled African Americans to participate in northern clandestine activities and become so detrimental to the southern cause—it was precisely because of their exclusion from the political, and thereby military, arena that allowed for their casual exploitation of the Confederacy. Despite the fact that southern planters and mistresses suspected and feared their slaves' insurgent activities throughout the war, African Americans continually participated in covert activities throughout the five-year struggle. The war transformed the society it sought to preserve.

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¹ Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South*, (Cambridge: Harvard University Press, 2010), 325-326.

² Alexander Stephens, "Cornerstone Speech," (Savannah, Georgia, March 21, 1861).

³ Major-General Patrick Cleburne et al. to Commanding General, Army of Tennessee, (January 2, 1864), 587.

⁴ Ibid., 586-587; McCurry, *Confederate Reckoning*, 326.

⁵ Ibid., 586-587.

⁶ McCurry, *Confederate Reckoning*, 327; Cleburne, 590.

⁷ Cleburne, 588.

⁸ R.Q. Mallard, P.W. Fleming, E. Stacy, Committee of Citizens of the 15th District, Liberty County, Georgia, to Brigadier-General Mercer, OR, Ser. 4, 2: 36-38; Cleburne, 589.

⁹ David S. Cecelski, *The Fire of Freedom*, (Chapel Hill: The University of North Carolina Press, 2012), 47-48, 50. The dangers of spying were, of course, tremendous. Military records do not reveal how many African American spies died while contributing to the Union intelligence network, but certainly many did not survive. In most cases, a hangman's knot, not a prison camp, awaited captured spies, regardless of skin color.

¹⁰ Spying was not one-sided; the Confederacy also planted spies around Fortress Monroe.

¹¹ H.E. Paine to Major General O.O. Howard, June 13, 1866, quoted in Cecelski, *The Fire of Freedom*, 51.

¹² How Stearns knew of Galloway and his covert capabilities is largely undetermined. He may have encountered Galloway through abolitionist colleagues or during some unknown sojourn in Galloway's travels of escaping from the South, prior to the American Civil War. Regardless, by early 1861, Stearns recognized Galloway's potential to contribute to the Union war effort. His recommendation of Galloway reflects—as Stearns considered himself a "practical abolitionist"—one who instinctively resorted to violence and to war as the means to ending human bondage. He was drawn to abolitionists who shared his apocalyptic fervor, eagerness to fight, and refusal to abide compromise with the "Slave Power." See Cecelski, *The Fire of Freedom*.

¹³ Cecelski, *The Fire of Freedom*, 44.

¹⁴ Ibid., 43.

¹⁵ Although President Lincoln personally believed that secession was primarily rooted in the institution of slavery, the majority of Northerners disagreed. Rather, they were fighting against the act of secession, as they considered enslavement an appropriate status for African Americans; black equality was not deemed worthwhile to fight for. See Mark Grimsley, *The Hard Hand of War*, (New York: Cambridge University Press, 1995), 122.

¹⁶ Quoted in James M. McPherson, *The Struggle for Equality: Abolitionists and the Negro in the Civil War and Reconstruction*, (Princeton: Princeton University Press, 1992), 56.

¹⁷ Quoted in Grimsley, *The Hard Hand of War*, 122. In the monumental presidential election of 1860, Samuel Chase attempted to run for President of the United States, but lost the Republican nomination to Abraham Lincoln. Thereafter, Chase and Lincoln's relationship was often strained. Thus, while Chase was an ardent abolitionist and most likely agreed with this statement, it is possible that he was, in fact, trying to mock the Republican Party.

¹⁸ Cecelski, *The Fire of Freedom*, 48.

¹⁹ George B. McClellan, *McClellan's Own Story*, (New York: Charles Webster, 1884), 33, 35; George McClellan to the Union Men of Western Virginia, May 26, 1861, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (OR), (Washington, 1880-1901), Ser. 2, 1:753.

²⁰ Grimsley, *The Hard Hand of War*, 122.

²¹ Cecelski, *The Fire of Freedom*, 48.

²² Grimsley, *The Hard Hand of War*, 123.

²³ Frémont was a fierce abolitionist throughout the American Civil War. For example, in 1861, he already issued an emancipation edict in Missouri. Throughout the struggle, Frémont garnered a tremendous amount of support from fellow northern abolitionists. See McPherson, *The Struggle for Equality*, 264.

²⁴ Ibid. No condition was more ideal for slavery, with its strong need for imposed order, than martial law.

²⁵ Quoted in Grimsley, *The Hard Hand of War*, 123-124.

²⁶ Ibid., 124.

²⁷ Quoted in Cecelski, *The Fire of Freedom*, 66.

²⁸ Vincent Colyer, *A Brief Report of the Services Rendered by the Freed People to the United States Army in North Carolina*, (New York, 1864), 9-10.

²⁹ According to Colyer's account, three African Americans were taken as prisoners. One of these men was shot and the fate of the other two was not ascertained. See Colyer, *A Brief Report*, 9.

³⁰ Ibid., 9-10.

³¹ On September 18, 1850, the United States Congress passed the Fugitive Slave Act as part of the Compromise of 1850. This statute was one of the most controversial elements of the compromise, and heightened northern fears of a slave power conspiracy.

³² Ira Berlin, Barbara J. Fields, Steven F. Miller, Joseph P. Reidy, Leslie S. Rowland, *Free At Last: A Documentary History of Slavery, Freedom, and the Civil War*, (New York: The New Press, 1992), 35-36.

³³ "THE SLAVES AND THE WAR: The Necessity of an Immediate Alliance

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with the Slaves of the Rebels,” *Chicago Tribune*, July 17, 1862, 2.

³⁴ Ibid., 2.

³⁵ Excerpts from testimony of Capt. C.B. Wilder before the American Freedmen’s Inquiry Commission, May 9, 1863, filed with O-328 1863, Letters Received, Ser. 12, RG 94 [K-68].

³⁶ “FROM TENNESSEE: FEDERAL OPERATIONS IN THAT STATE. Loyalty of the Nashvillians. Mitchell’s Division,” *Chicago Tribune*, Apr 17, 1862, 5.

³⁷ Ira Berlin, Barbara J. Fields, Thavolia Glymph, Joseph P. Reidy, and Leslie S. Rowland, *The Destruction of Slavery in Freedom: A Documentary History of Emancipation 1861-1867*, Series I, Volume I, (New York: Cambridge University Press, 1985), 256-258.

³⁸ Ibid., 256-258.

³⁹ Ibid., 256-258.

⁴⁰ OR, Ser. I, Vol. 10, Pt. 2, 162.

⁴¹ Ibid.; Commander of the 3rd Division of the Army of the Ohio to the Secretary of War, and the Latter’s Reply, May 4-5, 1862 in Berlin et al., *The Destruction of Slavery in Freedom*, Series I, Volume I, 256-258.

⁴² Major General O. M. Mitchel to Secretary of State E. M. Stanton, July 26, 1862, in Berlin et al., *The Destruction of Slavery in Freedom*, Series I, Volume I, 282-283.

⁴³ Assistant Secretary of War P[eter] H. W[atson] to Brigadier General Ormsby M. Mitchel, 7 October 1862, M-1743 1862, Letters Received, Records of the Office of the Secretary of War, Record Group 107, National Archives [FSSP L-17]. To note, parts of Watson’s first and last names in brackets because he signed with his initials, not his full name. To note, all letters and numbers in brackets preceded by “FSSP” denote the control number of the document in the collection of the Freedmen and Southern Society Project, University of Maryland, College Park, Maryland.

⁴⁴ Berlin et al., *Free At Last*, 334-334.

⁴⁵ Ibid., 334-335.

⁴⁶ “THE SLAVES AND THE WAR: The Necessity of an Immediate Alliance with the Slaves of the Rebels,” *Chicago Tribune*, July 17, 1862, 2.

⁴⁷ Excerpts from the testimony of Colonel Thomas W. Higginson before the American Freedmen’s Inquiry Commission, (Beaufort, S.C. June 1863), in Berlin et al., *The Destruction of Slavery in Freedom*, Series I, Volume I, 138.

⁴⁸ *Liberator*, July 12, 1861.

⁴⁹ *Raleigh Weekly Standard*, September 7, 1870; Cecelski, *The Fire of Freedom*, 45.

⁵⁰ Wild to Kinsley, November 30, 1863, quoted in Cecelski, *The Fire of Freedom*, 46.

⁵¹ Benjamin Quarles, *The Negro in the Civil War*, (Boston: Little Brown Company,

1953), 84.

⁵² Steven Hahn, *A Nation Under Our Feet*, (Cambridge: Harvard University Press, 2003), 89.

⁵³ Stephanie McCurry, *Confederate Reckoning*, (Cambridge: Harvard University Press, 2010), 228-229.

⁵⁴ W.L. Curry, *Four Years in the Saddle: History of the First Regiment Ohio Volunteer Cavalry: War of the Rebellion—1861-1865*, (Columbus: Chaplin, 1898), 343.

⁵⁵ James Pike, *The Scout and Ranger: Being the Personal Adventures of Corporal Pike of the Fourth Cavalry...Fully Illustrating the Secret Service*, (Cincinnati: J.R. Hawley, 1865), 225-226.

⁵⁶ Margaret Storey, *Loyalty and Loss: Alabama's Unionists in the Civil War and Reconstruction*, (Baton Rouge: Louisiana State University Press, 2004), 153.

⁵⁷ "OUR ARMY CORRESPONDENCE: Usefulness of the Contrabands Important Information Obtained from Them Arrest of Supposed Spies The Enemy Concentrating Near Petersburg, &c.," *The New York Times*, July 31, 1862, 1.

⁵⁸ "IMPORTANT FROM NORTH CAROLINA: The Negroes on the Alert—The Spy System," *Chicago Tribune*, August 19, 1861, 2.

⁵⁹ McCurry, *Confederate Reckoning*, 228.

⁶⁰ Reverend W.H. Robinson, *From Log Cabin to the Pulpit, or, Fifteen Years in Slavery*, (Eau Claire, 1913), <http://docsouth.unc.edu/neh/singleton/menu.html>.

⁶¹ "IMPORTANT FROM NORTH CAROLINA: The Negroes on the Alert—The Spy System," *Chicago Tribune*, 2.

⁶² Booker T. Washington, *Up From Slavery: An Autobiography*, (New York: Doubleday, Page & Co., 1907), 8-9.

⁶³ Statement of Lieutenant Colonel Josiah Given, 19 December, 1862, G-97 1862, Letters Received, Ser. 925, Dept. of Cumberland, RG 393 Pt. 1 [C-3] in Berlin et al., *The Destruction of Slavery in Freedom*, Series I, Volume I, 297-298.

⁶⁴ Michael J. Sulnick, *Spying In America*, (Washington D.C.: Georgetown University Press, 2012), 103-104; Laura Leedy Gansler, *The Mysterious Private Thompson*, (New York: Free Press, 2005), 85-97.

⁶⁵ "The Negroes on the Alert—The Spy System," *Chicago Tribune*, August 19, 1861, 2.

⁶⁶ W.E.B. Du Bois, "Black Reconstruction: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880," (New York: Harcourt, Brace, 1935), 57.

⁶⁷ McCurry, *Confederate Reckoning*, 82.

⁶⁸ *Ibid.*, 223.

⁶⁹ *Ibid.*, 223.

⁷⁰ *Ibid.*, 224.

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⁷¹ Alexander Stephens, "Cornerstone Speech," (Savannah, Georgia, March 21, 1861).

⁷² *Houston Telegraph*, March 29, 1865. Quoted in McCurry, *Confederate Reckoning*, 310.

⁷³ *New Orleans Bee*, March 16, 1861. Quoted in McCurry, *Confederate Reckoning*, 225.

⁷⁴ A.T. Bledsoe to W.S. Turner, August 2, 1861. OR, Ser. 4, 1:529. Planters' nonchalant attitude towards their slaves at the start of the war demonstrated their utter oblivion to the danger in their midst.

⁷⁵ *Charleston Mercury*, November 11, 1859.

⁷⁶ "The Negroes on the Alert--The Spy System," *Chicago Tribune*, August 19, 1861, 2.

⁷⁷ McCurry, *Confederate Reckoning*, 224.

⁷⁸ Washington, *Up From Slavery: An Autobiography*, 8-9.

⁷⁹ Hahn, *A Nation Under Our Feet*, 87.

⁸⁰ Benjamin Butler, *Private & Official Correspondence of General Benjamin F. Butler, 1818-1893*, (Boston: A.M. Thayer & Co. Book Publishers, 1892), 449-451.

⁸¹ Slaveholders often described their relationship with their slaves in familial and patriarchal terms; Julia LeGrand was a pro-Confederate woman who was notorious for her provocations for federal troops and officers. LeGrand's diary recorded her experiences as a southern woman engaged in the Confederate war effort. See Scott P. Marler, *The Merchant's Capital: New Orleans and the Political Economy of the Nineteenth-Century South*, (Cambridge: Cambridge University Press, 2013).

⁸² Kate Mason Rowland and Morris L. Croxall, ed., *The Journal of Julia LeGrand*, (Richmond: Everett Waddey Co., 1911), 283.

⁸³ Lieutenant M. H. David to General Buford, 2 June 1864, C-299 1864, Letters Received (Supplemental), series 4677, District of Eastern Arkansas, Records of U.S. Army Continental Commands, Record Group 393 Pt. 2 No. 299, National Archives [FSSP C-1814].

⁸⁴ G.P. Whittington, ed., "Concerning the Loyalty of Slaves in North Louisiana," *Louisiana Historical Quarterly* 14 (October 1931): 487-502, quotation at 490.

⁸⁵ Hahn, *A Nation Under Our Feet*, 41-43.

⁸⁶ "IMPORTANT FROM NORTH CAROLINA: The Negroes on the Alert--The Spy System," *Chicago Tribune*, August 19, 1861, 2.

⁸⁷ John Azor Kellogg, *Capture and Escape: A Narrative of Army and Prison Life*, (Democrat Printing Co., 1908), 147, 149.

⁸⁸ Hahn, *A Nation Under Our Feet*, 87.

⁸⁹ Quoted in Hahn, *A Nation Under Our Feet*, 87. The existence of "Lincoln's Legal Loyal League" is widely debated and mostly appears in secondary literature. Slaves supposedly formed secret lodges known as "Loyal

Leagues” and used code words such as “Friends of Uncle Abe” and “Light and Liberty” to assist the Union (see Ervin L. Jordan Jr., *Black Confederates and Afro-Yankees in Civil War Virginia*, (Charlottesville: University Press of Virginia, 1995), 283). However, there is hardly any primary documentation of the existence and activities of this “Loyal League.” In December 1861, the *Daily Times* of Leavenworth, Kansas, succinctly reported about “a slave league,” which was “not positively known” yet “suspected by many of the slave-holders” (*Daily Times*, Leavenworth, Kansas, December 21, 1861). In Allan Pinkerton’s memoir, *The Spy of the Rebellion*, he notes the existence of a slave league in his discussion of African American spy John Scobell. Although Pinkerton founded the Union Intelligence Service, his work is largely debated and deemed somewhat fictional. Thus, neither the *Daily Times* article nor Pinkerton’s work can verify the existence of a slave league. Such fabrication is commonplace in the discussion of African American covert activities during the American Civil War.

⁹⁰ Carol Bleser, ed., *Secret and Sacred: The Diaries of James Henry Hammond, a Southern Slaveholder*, (New York: Oxford University Press, 1988), 289-290. Hammond is a prime example of a cruel slaveholder. During the American Civil War, he sought to extract as much labor and profit from his slaves’ work. Hammond defended the institution of slavery from an economic standpoint and adamantly resisted the abolition of slavery until he could no longer do so.

⁹¹ Hahn, *A Nation Under Our Feet*, 88.

⁹² A.A.G. R. W. Memminger to Brigadier General Johnson Hagood, August 16, 1862, in Berlin et al., *The Destruction of Slavery in Freedom*, Series I, Volume I, 132.

⁹³ McCurry, *Confederate Reckoning*, 296.

⁹⁴ Colonel Lawrence M. Keitt to General, January 9, 1863. In Berlin et al., *The Destruction of Slavery in Freedom*, Series I, Volume I, 134-136; McCurry, *Confederate Reckoning*, 296.

⁹⁵ McCurry, *Confederate Reckoning*, 296.

⁹⁶ Commander of the 3rd Military District of the Confederate Department of South Carolina, Georgia, and Florida to the Headquarters of the Confederate Department of South Carolina, Georgia, and Florida, Pocotaligo, South Carolina, 18 November 1862; Brigadier General W. S. Walker to Brigadier General Thomas Jordan, 18 November 1862, filed with R-1421 1863, Letters Received, series 12, Adjutant & Inspector General, War Department Collection of Confederate Records, Record Group 109, National Archives [FSSP F-193]; McCurry, *Confederate Reckoning*, 295.

⁹⁷ D.W. Vowles to John H. Winder, April 11, 1864, quoted in Mark E. Neely Jr., *Southern Rights: Political Prisoners and the Myth of Confederate Constitutionalism*, (Charlottesville: University Press of Virginia, 1999), 135.

⁹⁸ Hahn, *A Nation Under Our Feet*, 88. From the beginning of the secession crisis, there was apprehension about slave discipline, but the war had exacerbated the challenges southern communities faced in trying to maintain effective slave patrols. Passed in October 1862, the infamous “Twenty Negro Law” triggered enormous popular resentment, both from non-slaveholders who regarded it as valuing the lives of the elite over their own, as well as from slaveholders who were not eligible. In a speech in Jackson, Mississippi, in December 1862, President Jefferson Davis affirmed the logic of the law. “The object of [it]... was not to draw any distinction of classes, but simply to provide a...police force, sufficient to keep our negroes in control. This is the sole object of the clause.” See McCurry, *Confederate Reckoning*, 293; Drew Gilpin Faust, *Mothers of Invention*, (Chapel Hill: The University of North Carolina Press, 1996), 55; and George C. Rable, *The Confederate Republic: A Revolution Against Politics*, (Chapel Hill: The University of North Carolina Press, 1994), 155-156.

⁹⁹ Hahn, *A Nation Under Our Feet*, 88.

¹⁰⁰ Quoted in Faust, *Mothers of Invention*, 58-60.

¹⁰¹ Quoted in McCurry, *Confederate Reckoning*, 289.

¹⁰² Hahn, *A Nation Under Our Feet*, 88.

¹⁰³ Major-General Patrick Cleburne et al. to Commanding General, Army of Tennessee, (January 1864), 588.

¹⁰⁴ McCurry, *Confederate Reckoning*, 327; Major-General Patrick Cleburne et al. to Commanding General, Army of Tennessee, 587.

¹⁰⁵ Cecelski, *The Fire of Freedom*, 46.

¹⁰⁶ *Ibid.*, 46.

¹⁰⁷ *Weekly North-Carolina Standard*, September 11, 1867.

¹⁰⁸ Cecelski, *The Fire of Freedom*, 62.

¹⁰⁹ *Anglo-African*, January 16, 1864. Based in New York City, New York, the *Anglo-African* was one of the few black-owned and -operated newspapers in the country during the American Civil War.

¹¹⁰ While there are few writings about Galloway’s clandestine activities, there are some that elaborate on his life pre- and post-war. Because Galloway transformed into an active political figure in the later years of the American Civil War and during the Reconstruction Era, his legacy as a whole is not entirely forgotten. For more information about Galloway’s life, see *Weekly Standard*, September 7, 1870; *New National Era*, September 22, 1870; and Cecelski, *The Fire of Freedom*.

¹¹¹ Cecelski, *The Fire of Freedom*, 62.

¹¹² Military records of Galloway’s activities are far from fruitful sources of information. Particularly in the early years of the war, before the Union War Department created a central intelligence agency, commanders individually managed their spies. For example, Butler paid his spies from Secret Service

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Funds that required minimal documentation or from his personal finances. By paying spies in this way, Butler did not feel obligated to enumerate sources or explain details to other military officers. See Cecelski, *The Fire of Freedom*, 46.

¹¹³ McCurry, *Confederate Reckoning*, 361.

¹¹⁴ Thavolia Glymph, “Rose’s War and the Gendered Politics of a Slave Insurgency in the Civil War,” in *The Journal of the Civil War Era*, Vol. 3, No. 4, (December 2013), 505.

Images:

Page 10: “Kilkenny Cat Fight 1846,” in-text wood engraving cartoon of General Ulysses S. Grant, 1864, June 25, 1864 issue of *Harper’s Weekly*, via Wikimedia Commons, https://upload.wikimedia.org/wikipedia/commons/6/64/Kilkenny_Cat_Fight_1864.jpeg (accessed May 4, 2016).

Page 32: “Twenty Negro Act Exemption,” Confederate States Government, February 17, 1864, via Wikimedia Commons, https://upload.wikimedia.org/wikipedia/commons/9/90/Twenty_Negro_Act_Exemption.jpeg (accessed May 4, 2016).

THE WAR THAT CONGRESS WAGED

Varun K. Menon

As the leaves began to reach their boldest reds, oranges, and yellows across the Potomac River Valley in early November 1811, Henry Clay and his family finally arrived in the nation's capital after a seemingly endless journey along the rugged roads from their Kentucky home. His wife, Lucretia, had insisted that their six children accompany her if she were to sustain the long trip to Washington D.C. Ever the "Great Compromiser," a reputation he was destined to earn over a long career ahead of him in the United States (U.S.) Congress, Clay acquiesced to her demands in order to gain the desired outcome: he wanted his wife to be at his side for the beginning of this next exciting chapter in his life.¹ The 34-year-old Kentucky Republican had come to Washington D.C. to begin his third stint in Congress, having been previously appointed by the Kentucky Legislature two times to temporarily replace outgoing senators. This time, Clay returned to the capital for his first full congressional term in the U.S. House of Representatives after his election by the voters of Kentucky's 5th district.²

Washington City, as it was called in those days, was a far cry from the magnificent marble capital it would later become. Built in the middle of a swamp off the Potomac River on land ceded from Maryland and Virginia to create the permanent federal District of Columbia, the settlement possessed hardly any of the trappings that might lead one to even call it a city, much less the capital of an independent country. In fact, it paled in comparison to even its neighboring towns in the District, Georgetown and Alexandria. European ministers representing their home nations



Representative Henry Clay (DR-KY) transformed the office of Speaker of the House into a position of unprecedented political power in the Federal Government

in the American capital considered it a “hardship post,” as far removed from what they considered the civilized world as possibly imaginable. Members of Congress would have strongly agreed. The landscape of the city was marked by disorganized clusters of disparate wooden houses and storefronts that dotted muddy lanes.³ Senators and representatives lodged in one of the few ramshackle boarding houses populating the city during the sessions, which usually ran from December to April or to May of the next year, depending on how much business had to be addressed. Given the wretched conditions of the nation’s capital, the legislators left town in a hurry as soon as Congress adjourned, leaving the city with hardly any residents. Since the livelihood of the city was almost entirely dependent on govern-

ment, business essentially halted after adjournment.⁴

At the top of Jenkins Hill, what we call Capitol Hill today, was perched a beautiful white marble building designed by Dr. William Thornton, with two wings on either side that held the respective chambers of the Senate and the House of Representatives.⁵ The gleaming United States Capitol and the President's House (the White House) stood in stark contrast to their bleak surroundings, but nonetheless were the first symbols of a burgeoning capital city and a rapidly ascendant American Republic. Outside of deliberative sessions held at the United States Capitol, members would normally conduct most of their personal business at their rented rooms at the boarding houses. There they wrote and read correspondence, received constituents, and parleyed with other congressmen. Clay and his family took up residence for the session at Mrs. Dowson's boarding house, down one of the unpaved alleys leading up to Capitol Hill.⁶

Even before arriving in Washington City, Clay was devising his next move regarding what had become the paramount political issue of the day: the prospect of war against Great Britain. Since his last time in the capital, he had become the leading voice for a faction that believed the United States faced a crisis of national honor in the face of continued British aggression. The present tensions had begun when the U.S. professed neutrality in the Napoleonic Wars that were consuming the European continent and much of the Atlantic World. Neither Britain nor France seemed to respect this position, instead opting to seize private American vessels attempting to trade in the ports of the enemy. At the recommendation of President Thomas Jefferson, Congress enacted an embargo on all goods imported or exported overseas in order to pressure Britain and France to respect American neutrality.

This policy backfired, proving disastrous to the young republic's economic health while extracting no concessions from

either power.⁷ Despite several instances of French violations, it was the former motherland's especially bold offenses against U.S. sovereignty that pricked the American conscience most. Repeated instances of naval seizures on the high seas and ongoing military aid to agitated Native American tribes on the western frontier reinforced Clay's publicly-stated conclusion that the young republic had no other choice but to fight a second war of independence. "Is the time never to arrive when we may manage our own affairs without the fear of insulting his Britannic Majesty?" Clay had implored his colleagues in the Senate a year earlier, "Is the rod of British power to be forever suspended over our heads?"⁸

With animated orations such as that, Clay carved out a reputation across the country as the impassioned firebrand for the movement to defend the nation's integrity through war with Great Britain. "The Western Star," as he was being called, was not alone in this quest. In fact, the 34-year-old Kentuckian formed the vanguard of a rising coalition of Republicans derisively labeled by their enemies as the "War Hawks." These younger members from the southern and western regions mainly sat in the House, and prominently included John C. Calhoun (DR-SC), Langdon Cheves (DR-SC), William Lowndes (DR-SC), Felix Grundy (DR-TN), and William Wyatt Bibb (DR-GA). They agitated for armed conflict with Great Britain in retaliation for the offenses they believed that nation had committed against U.S. sovereignty. There was also a controversial claim that the War Hawks meant to expand the nation territorially through war, especially by invading and annexing British Canada. The War Hawks surprised the Republican Party establishment by organizing quickly following their election and by coalescing around a central legislative strategy to lead the nation into war.⁹ On the eve of the first session of the 12th United States Congress, the young War Mess, as the core Hawks were known,

met for dinner at Mrs. Dowson's boarding house to discuss their strategy for the next day and the coming months.¹⁰ Little did they know that they were on the verge of ushering in a new age in American politics and foreign affairs, one that would see the Congress come to exercise unprecedented influence over the foreign relations of the United States.

THE TRAILBLAZING TWELFTH CONGRESS

In the rapidly ascendant American Republic of the early nineteenth century, the 12th United States Congress (elected to sit from 1811 to 1813) heralded a new era of legislative assertiveness in national politics and particularly in foreign affairs. There were many accompanying trends both domestically and internationally that would facilitate the emergence of Congress as an independent pole from the executive branch in the foreign policy-making process during the next eighteen years. First, the 12th Congress constituted one of the youngest groups of lawmakers in American history to take control of the legislative branch. Public discontent with the inept gridlock of the previous Congress had caused angry constituents to clean the House and the Senate of its many seasoned incumbents in favor of young challengers who promised decisive action. The result was perhaps the greatest electoral purge in American political history: with 62 freshmen, 44 percent of the entire House membership in the 12th Congress was new amid some states replacing their entire delegations.¹¹ Following this slaughter at the ballot box, the majority of new members in the House were under the age of forty, including the 34-year-old Clay.¹² These young representatives accurately represented a young nation whose average national age was only sixteen years old.¹³ This unprecedented youth and inexperience in Congress, coupled with a clear voters' mandate for legislative action to confront the ongoing international conflict, no doubt had an effect in reforming modes of thinking about how the legislative branch should engage in international affairs and

American statecraft.

The significance of this shift is reinforced by examining the career trajectories and legacies of the freshmen entering Congress between 1811 and 1815. The two momentous sittings of the legislative branch that witnessed the full declaration and prosecution of the War of 1812, as well as the 12th and 13th Congresses (the “War Congresses”), would give birth to the careers of some of the finest statesmen in American history. A prominent sketch and series of biographies from Congress written in 1850 names the men who were viewed as the most important legislators of that time. In addition to Clay and Calhoun, there was Daniel Webster (F-NH), John Forsyth (DR-GA), Nathaniel Macon (DR-NC), William Gaston (F-NC), Thomas Pickering (F-MA), John W. Taylor (DR-NY), Charles J. Ingersoll (DR-PA), and William Rufus King (DR-AL).¹⁴ All were members of the House and, with the exception of the veterans Pickering and Macon, were freshmen in either the 12th or 13th Congress. As the 1850 biographer would later observe of these prominent lawmakers, “most of them [were] just starting, with generous rivalry, upon their race of distinction.”¹⁵ Simply put, the young men that were entering the federal legislature during the 12th and 13th Congresses amid the buzz of war were to reshape the landscape of American politics in the next half century. It is interesting to note for our purposes that of the eight freshmen mentioned, five received their start on committees of foreign affairs or gained early prominence in foreign policymaking.¹⁶

The assertive transformation in legislative thinking symbolized by the entrance of an emboldened generation of young lawmakers was also augmented by a second ongoing trend in the country: the meteoric expansion of the nation and the resulting legislative apportionments in the West. As the nation’s population had roughly doubled in the approximately twenty years since the Constitution’s ratification in 1788, the House

in particular was growing at a rapid pace. Between the census years of 1800 and 1810, the national population soared from 5.3 million to 7.2 million, while the geographic land area of the country expanded by 865,000 square miles to 1,682,000 square miles.¹⁷ As a result of the nation's exponential growth, the House ballooned from 65 seats at its inception in 1789 to 181 seats for the 13th Congress in 1813.¹⁸ This proliferation would have major implications for the structure, operation, and temperament of the House: with each admitted state and newly-created seat, it was increasingly untenable for the body to function in its original form as a collegial assembly that lacked deliberation restrictions and a hierarchical leadership order.

These constraints most assuredly caused the House to reshape itself during this period, a process which would accelerate during the 12th and 13th Congresses with the War of 1812. The reformed House of Representatives would emerge from the metamorphosis with more responsive, polished, and effective mechanisms that would facilitate its freshmen members' legislative assertiveness in foreign policymaking and international statecraft in the coming years. Additionally, it is significant to note that population gains (and thus, legislative apportionment gains) were coming largely from the recently admitted western states. The interests for war with Great Britain among this region's electorate were intimate and clearly delineated: the British were suspected to be actively aiding and abetting Native American tribes led by Shawnee Chief Tecumseh's confederation in their repulsions of white settlers. Each defeat on the frontier was a smarting reminder of the former motherland's continued hand on the continent.¹⁹ Given these circumstances, it is no wonder that the young War Hawks faction mobilized so quickly and gained a position of preeminence in the House within one election cycle.

The third trend was the breakdown of the original two-

party system, at least in terms of congressional caucuses, which was beginning to run its course as early as the 10th Congress (1807-1809).²⁰ With the Federalists now nationally irrelevant and fading into the sunset of American history, Thomas Jefferson's dominant Republican Party (the Democratic-Republicans) was already splintering into four discernable factions within Congress: the Clintonians, disciples of the aging Vice President George Clinton (DR-NY), who harvested votes in New England and New York from the flagging Federalists by advocating commercial and shipping interests; the Tertium Quids (or simply, Quids), "old school" Jeffersonian Republicans who adhered to the strict constitutionalism and limited federal government approach of their clarion Representative John Randolph of Roanoke (DR-VA) and tied their long-term electoral hopes to the potential political resurgence of James Monroe of Virginia; the Invisibles, a peculiar faction largely relegated to the Senate that faithfully rallied to the banner of Senator Samuel Smith (DR-MD) in his personal and political crusade against Secretary of the Treasury Albert Gallatin; and finally, a faction of Republicans who remained loyal to the Jefferson Administration and still looked to the White House for leadership.²¹ Nothing better exemplified the collapse in the Republican Party's unity than the boycott of some sixty Clintonians (who supported James Monroe) from the party's presidential caucus that nominated Secretary of State James Madison of Virginia for the 1808 ticket instead.²²

These fissures were exacerbated by Jefferson's increasing resignation from national politics as his departure from the Presidency grew imminent; during the course of the 10th Congress, he had failed to exercise the leadership and discipline necessary to maintain his party's unity for his successor. Considering that neither party had instituted proper partisan leadership structures in the legislative branch, the result was a total collapse in party cohesion.²³ For reasons that will be explored next, President

James Madison was powerless to prevent the full fracturing of the Republican caucus in the 11th Congress (1809-1811). So while the United States' two parties remained nominally the Federalists and the Republicans, the latter's commanding majorities in the House and the Senate no longer translated into legislative decisiveness. The sum outcome of these circumstances was a power vacuum in both chambers that at worst threatened to render Congress, and the republican form of government, irrelevant; but at best, it provided the perfect conditions for a new, fervent faction of lawmakers to seize command of the entire body and impose their will on the nation with the full constitutional arsenal of legislative powers ascribed to the federal legislature.

A fourth unavoidable contribution to an environment conducive to legislative assertiveness in foreign affairs was the man who occupied the White House when the 12th Congress took office in late 1811. James Madison, the "Father of the Constitution" and the first President to have served in a post-Constitution Congress, was considered the preeminent champion of legislative supremacy among the Founding Fathers. "In republican government, the legislative authority necessarily predominates," Madison had stipulated without qualification in *The Federalist* No. 51, a viewpoint that he more or less maintained throughout his entire tenure of public service.²⁴ In general, the Virginian believed that the executive should submit to the will of the national legislature for democratic governance to be truly successful. Perhaps because of this principled commitment to legislative government, Madison proved to be different from his three presidential predecessors.

Previous executive administrations had featured forceful and occasionally overbearing leadership that significantly influenced the mechanics of Congress. President George Washington, "Father of the Nation" as he was, commanded a peerless respect over the government with a cabinet of legendary

American Revolution Era figures that included the two major partisan poles of the time: Alexander Hamilton and Thomas Jefferson. Despite or probably because of his refusal to seize power for himself in the wake of the American Revolutionary War (1775-1783), Washington was a particularly powerful executive whom the American public and its representatives held in the highest regard. His successor, John Adams, was survived by a mixed legacy of enhancing federal power through unbridled executive authority during the Quasi-War (1789-1800). And Thomas Jefferson, father of the Republican Party (the Democratic-Republican Party as it is called today) and ostensible champion of limited federal and executive authority, exercised enormous influence in Congress with overwhelming majorities in both chambers keen to prove their loyalty to him with their every action. The first two decades of the American Republic had thus witnessed the powerful force of partisan politics emerge from leadership within the executive branch.

But in contrast to his strong-armed predecessors, President Madison seemed to depart in varying degrees from the first three administrations' reliance on executive authority and on more assertive leadership in both foreign and domestic affairs. Madison's republican ideology and insistence that the bulk of national decision-making remain with and in Congress seemed to preclude him from attempting to dominate or to coerce the legislative body in the ways that his predecessors had.²⁵ Unlike Jefferson, Madison was neither willing nor capable of wielding the presidential influence (especially in terms of partisan leadership in the Democratic-Republican caucus) that his preponderate forerunner had mastered to gain his desired outcomes in legislative action. Furthermore, and unlike his three predecessors, Madison's election by a congressional caucus would ensure that his political leash originated in the legislative branch. Unlike Jefferson, who raised his congressional colleagues to their

positions, Madison owed his own position to his congressional colleagues.²⁶ In the words of Professor Marshall Smelser, “As the creation of the caucus, Madison could never dominate his makers.”²⁷ As one shall see, this fact in particular would have major ramifications in the charge for war in 1812. In summary, while the party collapsed internally amid the factional crisis in Congress, help seemed unlikely and unable to come from Madison’s White House.

An early sign that Madison was not prepared to confront Congress, especially in foreign policy, came when he nominated his former Jefferson Cabinet colleague Albert Gallatin as his first Secretary of State in 1809. Instead of employing his recent electoral mandate and unquestioned leadership of the Democratic-Republican Party to squash what appears to have been a petty personal fight over patronage as his predecessor likely would have done, Madison allowed the Senate to reject his appointee with no noticeable backlash.²⁸ Led by the Invisibles faction of Republicans, the Senate then proceeded to impose their will upon Madison by pressuring him to appoint their candidate of choice, Robert Smith, the brother of Senator Samuel Smith (DR-MD). The Senate undoubtedly knew that Smith was opposed to many aspects of Madison’s foreign policy and was more than willing to collude with members of Congress in order to accomplish his pro-war agenda.²⁹ Instead of presiding over an administration that would execute his wishes without question, Madison was mired down by Smith and his congressional allies within the Cabinet itself.

The Senate had trodden over Madison and essentially planted one of its own in his administration’s most important post. To accomplish his simplest foreign policy movements, the President had to outmaneuver his own primary diplomatic agent, who naturally held more of an allegiance to Congress than his constitutional superior. Madison thought he could be his own

Secretary of State, but by 1811, he finally had enough and demanded Smith's resignation after a bitter series of published exchanges regarding their differences.³⁰ This first incident only reinforced the growing characterization that Madison would more or less accept Congress running roughshod over him whenever it pleased in order to avert inner-governmental conflict. Time after time in the coming years, Madison would propose diplomatic action to Congress that would ultimately die for lack of executive inclination to exert political pressure.³¹ As one shall see, the leadership of the young 12th Congress would prove more effective in pressuring the legislative-minded Madison to enact their will rather than his own.

THE HOUSE THAT CLAY BUILT

The combination of an unusually large freshmen population in the 12th Congress, the rapid expansion of the nation's legislative apportionments (particularly in the West), the fracturing of the two-party system, and the stewardship of a hesitant and ambivalent President precipitated the dynamic developments in the legislative branch's foreign policy agency. Through political and institutional change within, due to the rapid proliferation in the body's membership mentioned earlier, the House of Representatives in particular would become the bellwether of major developments in this unusual era of legislative preeminence in international affairs. The monumental transformations in the making were portended by the unprecedented election of Henry Clay as Speaker of the House on November 4, 1811, the first day the 12th Congress convened.³² With the predetermined support of his War Hawks faction, Clay was chosen from a cadre of well-known Republican veterans to lead the House in his first day in the legislative body. Never before (excluding the first session of the House in 1789) had a freshman been elected to lead the chamber, a feat that has since not yet been replicated. Clay's elevation to the Speakership

The War That Congress Waged

signaled the tremendous authority that the House's young freshmen would wield beginning on day one of the first session, as well as the unparalleled period of institutional and political change in Congress that the War Hawks were about to unleash.

Almost in diametric opposition to the institution one knows in the present age, the House of Representatives was an indistinctly-formed body that lacked specialization and hierarchy. As discussed earlier, the Jeffersonian Republican ideal of equality among legislators dictated that the House of Representatives operate much more in the way one thinks of the Senate today: members more or less had equal speaking rights and opportunities to serve on select committees, while strong leadership positions and rigid disciplinary structures were virtually absent. All forms of hierarchy and specialization were looked upon with suspicion, meaning that clear leadership



Although this image depicts Clay speaking in the Senate Chamber in 1850, the Kentuckian was known for his oration and leadership skills throughout Congress

chains or substantive standing committees were not present.³³ Although likely not realized at the time, even by Clay himself, the Kentucky freshman's elevation to the Speakership was a major institutional milestone in American political history that would have major implications for the distribution of power in the House of Representatives and for bringing about the end of the idealized Jeffersonian legislative system. Until that point, the Speakership had been largely apolitical and constitutional in nature, mimicking the presiding officer of the British House of Commons. The Speaker enforced House rules and ensured that members were accorded equal rights and fair opportunities to speak, but normally abstained from active political processes occurring within the body. In attempting to further his legislative goal of declaring war on Great Britain, Clay transformed the position into one of unrivaled political authority in the Congress, perhaps second nationwide only to the President of the United States.³⁴

As mentioned before, Clay's power play was facilitated by his War Hawks faction, of which he was the undisputed leader; thus, Clay became the first Speaker of the House who was simultaneously a party leader. Given that both the Democratic-Republicans and the Federalists lacked a clearly delineated structure of party leadership within either chamber—a feature that was to hasten their respective downfalls in the coming decades—political leadership had previously originated in the executive branch either from Cabinet secretaries or the President himself. Clay's War Hawks changed this. Although they were a minority within the Republican Party, these energetic freshmen organized themselves remarkably well and coalesced aggressively behind a coherent platform of war with Great Britain. The result was a bending of wills in an amorphous and fractious Republican Party that had not filled the leadership vacuum created by President Jefferson's departure from national politics.

Holding the Speakership with a partisan mandate from his War Hawks, Clay steadily manipulated the position's nascent powers in order to accomplish his faction's primary objective of declaring war on Great Britain in 1812 and of effectively contriving the major political office that one knows today as a byproduct of that charge. Clay interpreted the House rules to further his faction's war mission, used his constitutional discretion to set the chamber's agenda, and controlled debate recognition while sometimes participating and voting, hitherto unseen in the Speakership.³⁵ But of all the Speaker's powers that Clay manipulated to gain undisputed command of the House's legislation and political action, the most significant was the committee appointment powers. The powers themselves were a result of the previously mentioned growth of the House: it had been the original custom for the entire House to elect the membership of every committee as the Senate still continued to do, but the need for expediency in an exponentially-expanded legislative body forced the House to defer to the Speaker's best judgment.³⁶

Although generally expected to be fair and impartial in appointing, Clay did not deploy this power neutrally. Immediately after his election, he packed committees with War Hawks and other members loyal to him, while appointing faithful chairmen to help him prosecute the House's war mission.³⁷ As a result, Clay had consolidated extensive powers into the Speakership against the backdrop of the war charge in early 1812. As both party leader and presiding officer of the House, he was able to empower the War Hawks with unprecedented influence in driving the House agenda, while crushing his opposition in both established parties through ruthless exercise of the Speaker's constitutional authorities as a means of keeping order.³⁸ In observing the dangers of Clay's rapid concentration of authority within the Speakership, Josiah Quincy III (F-MA) remarked in a

floor speech, “His power is, in truth, the power of the House.”³⁹

Of course, Clay’s maneuvers were not without backlash; when the Speaker appeared to be willing to use his recognition powers to curb the length of debate given the size of the body and the necessity for swift action, Representative Hugh Nelson (DR-VA) proffered an amendment to the House Rules so that “when the previous question is ordered to be taken, upon the main question being put, every member, who has not already spoken, shall have the liberty to speak once.”⁴⁰ While Nelson was also a Republican, he was closely allied with Representative John Randolph and his ultra-conservative *Tertium Quid* Republicans, who quickly became Clay and the War Hawks’ main opposition. As a sign that Clay’s anti-war opposition was mounting, Nelson’s amendment was also defended by members of the Federalist minority who were also reeling for a shot at the young Speaker. Others lamented Clay’s manipulation of the Speaker’s committee appointment powers to satisfy his political will for war. Representative Samuel Taggart (F-MA) noted that even a random selection of committee chairs would result in “more respectable chairmen than those placed in that situation by the Speaker. The business however itself of the Speaker selecting at pleasure the characters composing the several committees is in itself a monstrous feature in our Government.”⁴¹

But this opposition would be unable to ground the rising *Western Star*, who more than anyone in the entire nation was adamantly leading the country into war. Even some of his greatest political rivals, including then-Representative Daniel Webster (F-NH), could not deny the power that Clay had wielded in the Speaker’s chair. His lifelong friend and biographer summarized Clay’s position during the 12th and 13th Congresses: “Certainly, no one has ever presided over any deliberative body, in this country, with more personal popularity and influence than Mr. Clay. He governed the House with more absoluteness

than any Speaker who preceded or followed him.”⁴² Through the course of the 1812 warpath, the Speaker would only further cultivate his power; as a result, Clay’s practices have become the commonly-accepted prerogatives of House Speakers and are the conventions that make the position so powerful today.

Externally and in terms of relations with the other branches of government, the consolidation of authority in a dominant Speaker empowered the House of Representatives to promote its constitutional and political interests through the recognition of its single and directly accountable voice for the large chamber. With the realistic promise of swift political action and party discipline, the Speaker could now negotiate authoritatively in meetings with both the Senate and the President, and that is exactly what Clay did. Beginning in the spring of 1812, he and other House leaders began regularly initiating meetings with the President and his Cabinet to advance their war charge. The consolidation of the House’s leadership powers in the Speaker would further the lower chamber’s external agency and give the War Hawks tremendous leverage over both its legislative counterpart and the Executive Branch. Since the Constitution only stipulates that the Speaker is a presiding officer for the House in a parallel fashion to the Vice President and President Pro Tempore in the Senate, it is fascinating to consider that the Speakership may have never become more than what the Presidency of the Senate or its British antecedent are without Clay’s formative machinations in pursuit of the war goals of 1812.

Clay was also riding the waves of the second major institutional transformation in the House of Representatives: the standing committee system. Since the 1st Congress (1789-1791), both the House and the Senate had opted not to create a formalized standing committee system. Instead they retained the Continental Congress’ previously discussed practice of

appointing temporary “select committees” as needed. In keeping with a common belief held especially among Jeffersonian Republicans that the Congress should accord equal standing for all legislators, select committees were preferred as a way of diminishing specialization and hierarchy in both chambers while retaining the majority’s authority. Many lawmakers also began to view temporary select committees as a way to guard against undue executive influence. During the first years of the new government under the Constitution, Alexander Hamilton, Secretary of the Treasury and father of the Federalist Party, favored the referral of legislative proposals to executive departments before congressional committees in keeping in line with his program to build a government characterized by a dominant executive branch.⁴³ The Jeffersonian Republicans though, who gained control of the House in the 2nd Congress, vehemently opposed this proposed practice under their doctrine of legislative supremacy. This controversy of institutional organization had followed on the heels of the *Pacificus-Hebvidius* debates and further contributed to the great partisan divide between the Federalists and the Republicans in the 1790s.

In response to Hamilton’s advances, congressional Republicans had barred the President, Cabinet secretaries, and other executive agents from initiating reports, coming to speak on the House floor, and introducing legislation in Congress, conventions that have remained in effect to the present day. All were measures taken to combat the growing concern that “the Executive had swallowed up the legislative branch,” as Jefferson had put it. By the end of the Washington Administration and the first four Congresses, the House and the Senate had both solidly committed to developing their own methods for obtaining information and for gaining expertise that was independent of executive officers and agencies.⁴⁴ Defeating Hamilton’s procedural design and asserting full legislative autonomy “put an end to a tendency that could have moved the country in the direction

of British cabinet government,” as historian George Goodwin noted in attributing the reasons that the U.S. government developed with separate but equal branches despite Congress’ original institutional similarity to the British Parliament.⁴⁵

Although the institution of the committee provided Congress with the means to resist undue executive influence, the House of Representatives and the Senate still largely relied only on temporary select committees to fill the essential duties of conducting reports and authoring legislation by the time that Clay entered the legislative body. The common practice at the time was for the entire House to resolve itself into a “Committee of the Whole,” not only to hammer out the essential elements of any legislation in open debate, but also to assign a select committee to fulfill that action further, although with very specific instructions. The lack of independent, permanent, and specialized committees owed itself to the widespread Jeffersonian belief that “committees with substantial policy discretion and permanence might distort the will of the majority.”⁴⁶ Thus, select committees were dissolved immediately upon completion of their carefully delineated task.

But by the end of the first decade of the nineteenth century, the House, due to its growing size, was finding it inexpedient and impractical for the body to resolve aspects of legislation and other actions before committing it to a lower panel. The remedy was the standing committee, a subset of the legislative body with well-defined membership, a fixed subject-matter jurisdiction, and an indefinite lifespan, rolling over from one Congress to the next.⁴⁷ The permanency and specialized autonomy of standing committees enabled the House to generate more legislation, gather more intelligence, exercise greater oversight powers over the executive branch, and enhance legislative activism in virtually all respects. While the House’s small standing committee system was no more than a rudimentary fixture by the 12th Congress,

the institution would continue to mature with every session until blossoming right before the 1820s.⁴⁸

For those *Tertium Quid* Republicans such as John Randolph who opposed both specialization and hierarchy in the legislature, Clay's manipulation of the Speaker's appointment powers was doubly painful at a time when committees were gaining more practical autonomy through the growing practice of granting themselves independence to report legislation on their own volition, rather than solely by commission of the Committee of the Whole. While Clay only presided over the creation of two new standing committees during the War Congresses and referred more business to his packed select committees, he would press for a fully-institutionalized system after the War of 1812, possibly to keep order in reaction to the breakdown of his secure war coalition.⁴⁹

While the warpath to 1812 facilitated dynamic developments in the House of Representatives, the Senate remained relatively static during the course of the 12th and 13th Congresses. Whereas the House was in the process of laying down a standing committee system and selecting a powerful presiding officer in the eventful months leading up to war, the Senate remained the slow and cerebral body that the Framers of the Constitution no doubt had in mind. The Senate's standing committee system would not be created until 1816, while the body's small size and its lack of a centralized leadership structure, specialized policy units, and electoral turnover relegated it to a position of receiving the major foreign policy initiatives of the day from either the House or the President. Thus, the majority of the aggressive legislation related to the war and other overseas endeavors originated in the House during the years of 1811 through 1815.⁵⁰ This difference in initiative between the two chambers reflected their respective paces of institutional development, especially with regards to standing committee

establishment.

While the House had slowly adopted a standing committee system (especially perpetuated during the past few years by the demands of the war), the Senate had remained relatively stagnant and unchanging. Now in one fell swoop, it adopted a fully-fleshed network of standing committees and surpassed the House with just one motion (the House's standing committee system was still immature, with a sizable amount of jurisdictions still under semi-standing committees, including foreign affairs). Although the senators, likely did not realize at the time the gravity of this motion, their adoption of its institutional changes would fundamentally alter the upper house forever and decisively usher in the age of American government by committee that one arguably still lives in to this day.

The difference in legislative initiative was also reflected in public sentiment, which considered the Senate as the duller of the two powers in the legislative branch. Whereas Senate sessions were short and featured few speeches, the much greater volume and breadth of colorful debate within the House ensured much wider publicity and awareness of that chamber. It is consistently recorded during this period that while reporters jostled for position in the House gallery, the Senate scarcely attracted an audience; newspaper volume certainly reflected that.⁵¹ Writing to Secretary of State James Monroe in late 1810, Clay reflected on his decision to run for election to the House despite his position in the Senate: "Accustomed to the popular branch of the Legislature, and preferring the turbulence (if I may be allowed the term) of a numerous body to the solemn stillness of the Senate chamber, it was a mere matter of taste that led me, perhaps injudiciously, to change my station."⁵² While the dullness of the chamber may have corresponded to the lack of legislative initiative, the Senate's deliberative manner had its own ways of influencing the war charge by acting as the brakes on the House's

breakneck speed.

THE COERCION CHARGE

After exploring why the 12th Congress, the first “War Congress,” was in many ways a novel body and how it initiated many of the institutional transformations that would accommodate the new legislative assertiveness of its younger War Hawk members in particular, the actual path to and through the War of 1812 is equally riddled with legislation embodying a new diplomatic assertiveness in Congress. While the purpose of this work is not to document how Congress legislated the War of 1812, this paper will explore how the legislative body led the nation into the war and will investigate its impact on cultivating a new age of congressional assertiveness in foreign affairs by the end of the military conflict. The 12th Congress opened in the wake of a series of diplomatic volleys between the United States, Great Britain, and France that had begun shortly after President Madison had taken office two years earlier in March 1809.

Where Jefferson’s disastrous Embargo Act of 1807 had failed to assert American neutrality in shipping rights, Madison proposed an honorable peace when relations with Britain briefly improved in the honeymoon of his administration: the British would repeal the Orders in Council (1807), which dictated seizure of neutral shipping to France and to French continental allies, and the U.S. would repeal the recently-passed Non-Intercourse Act (1809), which prevented trade with both Great Britain and France.⁵³ After Congress wholeheartedly accommodated this agreement with appropriate legislation in June 1809, Madison regretfully announced that the British Cabinet had rejected the agreement he had negotiated with British Minister to the U.S. David Erskine.⁵⁴ And so, the trade restrictions were reenacted and the economic hostilities resumed. The relationship with Great Britain was deteriorating with each passing day.

With Madison's diplomatic efforts faltering, Congress decided to take matters into its own hands through the legislative process. Out of the House Foreign Affairs Committee (still a select, or temporary, committee at this time), Chairman Nathaniel Macon (DR-NC) reported legislation supported by the executive administration (and championed by Madison's Secretary of the Treasury Albert Gallatin) that restricted French and British ships from trading in American ports. Macon's Bill No. 1, as it became known, also stipulated that the President would be authorized to issue a proclamation lifting the sanction on either power that removed its edicts violating American neutrality. Nonetheless, the Invisibles in the Senate, who considered anything touched by Gallatin anathema, thoroughly amended Macon's Bill No. 1 and sent it back to the House. After exchanging amendments amid fierce debate across both chambers for most of the 1810 session, the House eventually acquiesced to the Senate and enacted a revised version that what would be called Macon's Bill No. 2 on May 1, 1810, which Madison begrudgingly signed into law.⁵⁵

The new revision on international trade law lifted all bans on commerce with Britain and France for three months. If either one of the two nations repealed their edicts on seizing American shipping during this period, the President of the United States would be compelled to proclaim a renewed embargo on the other (unless that nation also repealed its offensive edicts).⁵⁶ Congress hoped that one of the two European powers would see an opportunity to damage their arch-nemesis through this legislation, and Emperor of the French Napoleon Bonaparte did not disappoint the federal legislature. The French Emperor was quick to assure Madison that he would comply with the Americans to spite the British. In compliance with Congress' legislation, Madison then issued a proclamation lifting any restriction on France and renewing the embargo on Britain. But to the Americans' horror, Napoleon quietly reneged on

his promises and allowed French ships to continue marauding vessels originating from the United States. Meanwhile, tensions with Great Britain were at an all-time high: accidental naval skirmishes in 1811, first between the *U.S.S. Spitfire* and the *H.M.S. Guerriere* and then fifteen days later between the *U.S.S. President* and *H.M.S. Little Belt*, renewed concerns that the British were encroaching on American waters and impressing American sailors and citizens in the British Royal Navy. In these two naval incidents that smacked of the *Chesapeake-Leopard* Affair with Britain just four years earlier and in the total inability to hold Napoleon to his word, the American public could not help but feel that the 11th Congress and President Madison had brought them back to square one.

This was the dire state of affairs when the 12th Congress arrived in Washington D.C. to begin their session early at the behest of the President. Clay and his allies immediately used Madison's opening message reporting on the breakdown in diplomacy to appoint a new House Foreign Relations Committee that was to be headed by Chairman Peter B. Porter (DR-NY) and would also include War Hawk leaders Calhoun and Grundy. Unfortunately, Clay would also be forced to observe traditional seniority conventions and appoint John Randolph to the committee, but Clay hoped his War Hawks would drown out the shrill of his dogged opposition leader.⁵⁷ The committee immediately became the focal point in the American charge towards hostilities with Britain; just a little over a week later, the committee completed a report on the *Little Belt* Affair and concluded that the nation should prepare for the eventuality of war by raising 10,000 regulars in the standing army and by providing for the contingency of 50,000 volunteers.⁵⁸ Upon formally introducing the report to the whole House for deliberation, Chairman Porter had no qualms in stating unequivocally that "it was the determination of the committee to recommend open and decided war."⁵⁹

Together with his colleague Senator William Branch Giles (DR-VA), de facto pro-war leader of the Republicans in the Senate, Clay managed the charge for war by carefully controlling the flow of defense legislation out of committees in Congress.⁶⁰ Over the course of the next four months, Congress mainly legislated provisions for the war: in January, it provided for an army of 25,000 regulars (which the skeptical Randolph scoffed at) and appropriated \$1.9 million in armaments for both the army and the navy; in February, it enacted controversial tax articles to finance the war; and in March, it directed the President to borrow up to \$11 million at six percent interest in order to meet any war-related contingencies.⁶¹ But in reality, these measures did little to truly prepare the armed forces (which relied almost entirely on local militias due to Republican fears of a national standing army) for war with the British. In an effort to save money, most articles were to be invoked only in the event that war was officially declared. Cutting corners on the defense legislation would cost the nation dearly in the coming conflict.⁶² Clay and his allies were poised for success in the House by assembling a dominant coalition of war-supporting members. All that remained was coercing those last holdouts in the Senate and in the White House into accepting what the War Hawks had already proclaimed was necessary.

By March 1812, President Madison was besieged on all sides by those treating war with Britain as inevitable. But he was reluctant to accept the dismal prospect of prosecuting a war that he believed the nation was unprepared for, and deployed peace envoys to Britain to discuss terms under which war could be averted. Meanwhile, Clay and the House Republicans could hardly restrain themselves from knocking down the doors of the White House in their haste for war. Employing his mandate in the House, the Speaker designed a wholesale program for the executive administration to follow step-by-step so that Congress

could declare war. Through his actions, Clay was setting new markers in the relationship between the executive and the legislature, enhancing the agency and the initiative of the latter. In a March 16 note to Secretary of State Monroe, the Speaker directed:

That the President recommend an Embargo to last say 30 days, by a confidential message: That a termination of the Embargo be followed by War: and, That he also recommend provision for the acceptance of 10,000 volunteers for a short period, whose officers are to be commissioned by the President.

In the margins of the same note, Clay explained why he was pursuing such vigorous action from the executive:

Altho' the power of declaring War belongs to Congress, I do not see that it less falls within the scope of the President's constitutional duty to recommend such measures as he shall judge necessary and expedient than any other which, being suggested by him, they alone can adopt.⁶³

Clay thus instituted the convention in American political tradition for the President to send a war message to Congress before such a declaration was given.⁶⁴ The President, apparently also of the opinion that the embargo should precede any declaration of war, acceded to the Speaker's demands with the condition that it be sixty days long so that the diplomatic mission to Britain on the *U.S.S. Hornet* would have ample time to return. On April 1, 1812, the President's message was delivered to Congress as Clay had stipulated. As the measure was being debated in the House, Representative Randolph gained the floor and denounced the origins of Madison's recommendation: "it comes to us in a very questionable shape or rather in an unquestionable state... and is

not the wish or measure of the Executive.”⁶⁵ Randolph claimed that it was the House Foreign Relations Committee, not President Madison, which had designed the plan for an embargo followed by war and that the committee’s manipulation was leading the nation headstrong into an undesirable conflict.⁶⁶ He was not far off from the truth: Clay and his cohorts were orchestrating the war efforts in both political branches of government through coercion and the newly-pronounced powers of Congress that the young Speaker had managed to master in the course of a few months. After some changes in the Senate, Congress enacted a 90-day embargo.

Sometime following the adoption of this embargo, a committee of War Hawk congressmen led by Speaker Clay forced a private meeting with Madison to discuss the President’s reluctance to commit to war. As was the case for the public then, there is no transcript or records of that encounter; the proceedings were and still are entirely open to speculation by those not privy to its details. In fact, there may have been two separate meetings spread out between April and May, the first one regarding the War Hawks’ desire to strike a potential plan Madison was formulating to send fresh peace envoys to Britain and the second one involving the faction’s desire to force Madison to send a message to Congress asking for war. While the number of meetings or the precise discussion may never be known, Federalists and Tertium Quid Republicans seemed confident in what was transpiring in front of their eyes: Clay and the War Hawks were twisting the President’s arm in their insatiable quest for war. They claimed that the members had threatened to use the previously-discussed power of the congressional caucus to withhold Madison’s re-nomination for President in 1812. They also denounced the act by implicating Clay and the War Hawks in floor speeches, letters, and newspaper articles for years to come; historians have still not resolved to what degree these coercive

meetings affected the nation's entrance into the War of 1812. What can be ascertained, however, is that at least one of the meetings did occur in May and pressure was applied in some fashion on Madison to produce a war message in the same manner Clay had demanded that the President recommend the embargo. Whether it was because the congressional faction left him with no other choice or because he sincerely believed that war was necessary, Madison would ultimately acquiesce to the War Hawks' expectations. His decision was reinforced by the return of the *U.S.S. Hornet* from Europe bearing no news of concessions from the British.⁶⁷

On June 1, 1812, President Madison sent a confidential message to Congress outlining the grievances of the United States against Great Britain and the current state of affairs between the two countries, concluding, "We behold, in fine, on the side of Great Britain, a state of war against the United States, and on the side of the United States a state of peace toward Great Britain."⁶⁸ Madison recounted the reasons why his countrymen were so distressed: impressment of citizens on the high seas, seizures of naval vessels, violation of neutral trade, encouragement of Native American raids in the west, and a general lack of regard for the sovereignty of the nation. But the President did not go so far as to explicitly ask the Congress to declare war, instead deferring to the Congress to deliberate the necessity of war:

Whether the United States shall continue passive under these progressive usurpations and these accumulating wrongs, or, opposing force to force in defense of their national rights, shall commit a just cause into the hands of the Almighty Disposer of Events, avoiding all connections which might entangle it in the contest or views of other powers, and preserving a constant readiness to concur in an honorable re-establishment

of peace and friendship, is a solemn question which the Constitution wisely confides to the Legislative Department of the Government. In recommending it to their early deliberations I am happy in the assurance that the decision will be worthy the enlightened and patriotic councils of a virtuous, a free, and a powerful nation.⁶⁹

While Madison had certainly documented the extent to which British offenses constituted substantial threats to American sovereignty, his conclusion clearly lacked a decisive call to action. Never before (or never since) had there been such a vague “war message” delivered by a president to Congress. Astonishingly, Madison outlined equally the benefits of not only a declaration of war, but also those of maintaining the peaceful status quo. One reads this conclusion and doubts whether he believed the U.S. should commit to war at all, and wonders if Congress was truly influenced by the presidential message as it has been on several occasions since. Madison’s skepticism about declaring war was further complicated by his ambivalence over the role that he, as President, would play in resolving the complication at hand. Ultimately, without any appreciable executive pressure, the decision was truly left to the legislative body that had instigated armed conflict in the first place: the House of Representatives.

Immediately following the war message, Randolph and his *Tertium Quid* Republicans moved that the measures for war be considered by a Committee of the Whole. The majority of the House rejected this measure and Speaker Clay gained a major victory: the House Foreign Relations Committee would have sole jurisdiction of drafting the articles of war. This was a significant moment in the House’s history, as it confirmed the viability of the House Foreign Relations Committee as an autonomous unit that would generate its own opinions and legislation, well-suited to efficiently accomplish its diplomatic goals in insulation from rogue elements in the legislative body. Now-Chairman John

C. Calhoun led his committee to its private chambers to begin preparing a report and resolution for declaring war on Great Britain. Two days later, the South Carolina freshman would announce the committee's findings: "The period has arrived when the United States must support their character and station among the Nations of the Earth, or submit to the most shameful degradation."⁷⁰ It seemed from the swiftness of the House's mobilization (it was rumored that Calhoun's report had already been written in the previous month) and the apparent origin of the message's impetus in Congress that Madison's message was merely being employed by the War Hawks as an obligatory symbol to assuage concerns that the executive branch was not prepared to prosecute the war. With the way in which the war was about to unfold, it would seem as though these concerns were well-founded.

The House easily adopted the House Foreign Relations Committee's report and its draft of the declaration of war on Great Britain, 79 yeas to 49 nays.⁷¹ Clay then had the engrossed resolution sent to the Senate for its consideration, beginning on June 14. The next thirteen days would leave Washington D.C. in limbo and the nation in suspense, as the Senate debated war behind closed doors. With the Clintonians, Invisibles, and Administration Republicans all favoring different forms of war and the Tertium Quid Republicans as well as the Federalists opposing war outright, the process was excruciatingly painful; amendment after amendment and philosophical debate after debate mired the Senate down in procedure. The Senate's convention of unlimited speaking certainly did not hasten the process. In total, there were over eight key votes on war measures during the process; many were decided within the margin of only one or two votes. Ultimately, the Senate adopted the House's resolution, 19 yeas to 13 nays; this remains the slimmest margin in either chamber for a declaration of war in American history.⁷²

Clay and the War Hawks finally had their war; they had successfully silenced their opposition in the Tertium Quid Republicans and Federalists while bullying the White House into accepting the burden of prosecuting a daunting campaign against perhaps the greatest power on Earth at the time. Moreover, they had proven in the first major instance since the ratification of the Constitution that the impetus for landmark action in foreign policy could originate within Congress. No matter to what degree President Madison and his Cabinet may have favored war, the clear leadership had emanated from Congress. But Clay and his allies were about to learn that declaring war was by far the easiest part in the strenuous and bloody process of directing the nation through conflict; the coming war was going to test Congress and make even its most ardent proponents of war ponder the outcome they had so jubilantly celebrated in 1812.

WESTERN HEMISPHERE RISING

The war charge of 1812 produced another development in congressional statecraft whose significance has not been fully explored. With the prospect of war seeming to dominate every aspect of the country's international consciousness when the 12th Congress opened session in late 1811, lawmakers searched for every possible opportunity to extend pressure on Britain beyond the single dimension of bilateral Anglo-American relations; legislators realized that pressure could and must also be levied upon British allies and proxies in the Western Hemisphere. American leaders were particularly tempted by the possibility of encumbering Britain's key ally, Spain, whose vast empire remained a major impediment to U.S. ambitions to expand across the Americas.⁷³ The opportunity seemed to present itself in the crescendo of the Age of Democratic Revolutions in the colonial arenas of Latin America. On the western shores of the Atlantic, the Americas brimmed with the revolutionary energies first unleashed in the United States, France, and Haiti. The conflicts

were sparked by Napoleon's invasion of the Iberian Peninsula in 1808, which launched Spain and Portugal into absolute disarray. King Charles IV of Spain was forced from his throne, while Portugal's royal family fled for Colonial Brazil to escape Napoleon's clutches; both the central governments in Madrid, Spain and Lisbon, Portugal collapsed with little warning to their imperial possessions.⁷⁴

The Emperor of the French installed his brother, Joseph Bonaparte, on the Spanish throne at the head of a proxy government that claimed the entirety of Spain's vast overseas possessions. However, the reality was that Napoleon had chopped off rather than replaced the head of the already moribund Spanish Empire. With no central authority in Latin America remaining, the Spanish and Portuguese colonies established their own local juntas that claimed varying degrees of loyalty to the beleaguered House of Bourbon in opposition to the Bonapartists. Despite the nominal profession of loyalty to Spain by many of the Latin American colonies, major political and social upheaval that had been swelling beneath centuries of rigid imperial rule was just beginning to touch the surface.⁷⁵ Congress was well aware of these profound developments in Latin America, considering the advent of revolutionary movements a particularly timely opportunity for American statecraft in light of the rivalry with Great Britain. Given that Spain was one of Britain's most important allies and that there was a chronic lack of compassionate feeling between the U.S. and its imperial neighbor, there were many in both the House and the Senate of the 12th Congress who wished to see the United States capitalize on developments southward in order to enhance American power and deter British influence.

By 1810, President Madison and Secretary Monroe had deployed various classes of agents across Latin America to provide reconnaissance on the deteriorating situations in the various colonies to the south, as well as to foster relationships

for American political and economic interests. Much to the expense of their own nation's interests, American agents witnessed the British making inroads with the revolutionary juntas by obtaining most favorable statuses in trade agreements and building hegemony over the region in the absence of any comparable power.⁷⁶ Given the collapse of Spain and Portugal and the preoccupation of France, the United States was the only nation in a position to independently deter the growing British influence in the Western Hemisphere.

Although the Madison Administration had begun appointing agents across Latin America, harboring revolutionaries in the U.S., and allowing them to purchase munitions, there were still many gaps that needed to be filled in order to craft an acceptable American grand strategy to resist the British threat. But while the British were clearly winning on the ground, American agents suggested that it may not be too late to mount a challenge; there was discontent with the imperial superpower in nations such as Buenos Aires (later Argentina) and Venezuela, with many revolutionaries viewing the intensifying British imperial influence with suspicion. At the same time, these revolutionaries looked to their neighbor to the north to provide them with the natural support they felt they deserved in their efforts to proclaim independence under the banner of republicanism.⁷⁷ American agents stressed that the U.S. could use minimal resources to begin building its own rival sphere of influence over the tumultuous dominions of Latin America.

Correspondence with the Venezuelan Congress that implored assistance for their cause of full independence provided the perfect opportunity for the U.S. to commit its attention southward while the great European powers were occupied in their struggle with Napoleon for control of their own continent. There were many in the House and the Senate who looked favorably upon this development and supported an

American insertion in the revolutions of Latin America. Chief among those in Congress intent on architecting a comprehensive Western Hemisphere policy in an era of emerging juntas was none other than Henry Clay.⁷⁸ The young Speaker would have his first of many opportunities to shift the House's attention southward after President Madison delivered his first message to the 12th Congress on November 5, 1811. While the communication was largely devoted to the ongoing tensions with Great Britain and other matters of diplomatic importance, Madison mentioned in passing, "it is impossible to overlook those developing themselves among the great communities which occupy the Southern portion of our own hemisphere, and extend into our neighborhood."⁷⁹

As was the practice at the time, the House of Representatives resolved itself into several select committees based on particular topics touched upon in the President's message to provide a substantial congressional response either in the form of a report and/or some appropriate legislative action. Physician and scientist Dr. Samuel Latham Mitchill (DR-NY) was chosen as the chairman of the committee that was referred to address the small portion of the President's message that related to the Spanish American colonies. The following month, Representative Mitchill wrote to Secretary of State Monroe to request that any discrete information available regarding the independence of Spanish American colonies be released to the House committee.⁸⁰ Responding to Mitchill's request, Secretary Monroe furnished a copy of Venezuela's declaration of independence. According to Monroe, this copy had been specifically transmitted to the United States government by order of the "Congress, composed of deputies from those [Venezuelan] provinces, assembled at Caracas."⁸¹ The House committee now knew that the Venezuelan Congress was actively soliciting the attention of the United States, undoubtedly

seeking the legitimacy and support of the first republic in the Western Hemisphere in their struggle for a certain measure of sovereignty. Although this is the only such declaration that Monroe had received by the date of his letter on December 9, 1811, Monroe informed Mitchill, “it is known that most, if not all of them [Spanish American colonies], on the continent, are in a revolutionary state.”⁸²

On December 10, Representative Mitchill reported on behalf of the House select committee on Spanish American colonies. Specifically, Mitchill presented a report on the origins and status of the Latin American revolutions and recommended the adoption of a resolution encouraging the establishment of independent democratic and federal unions by revolutionary forces in the Spanish American colonies:

Whereas several of the American Spanish provinces, have represented to the United States that it has been found expedient for them to associate and form Federal Governments upon the elective and representative plan, and to declare themselves free and independent—

Therefore be it

Resolved, by the Senate and the House of Representatives of the United States of America in Congress assembled, That they behold, with friendly interest, the establishment of independent sovereignties by the Spanish provinces in America, consequent upon the actual state of the monarchy to which they belonged; that, as neighbors and inhabitants of the same hemisphere, the United States feel great solicitude for their welfare; and that, when those provinces shall have attained the condition of nations, by the just exercise of their rights, the Senate and House of Representatives will unite with

the Executive in establishing with them, as sovereign and independent States, such amicable relations and commercial intercourse as may require their Legislative authority.⁸³

Mitchill's report and its accompanying resolution was a remarkable first step in the formation of a comprehensive American policy towards the burgeoning Latin American nations. While the young 12th Congress faced the daunting prospect of war with the greatest sea power of the age, it did not shy away from the prospect of envisaging a grand framework for statecraft in the emerging community of nations in the Western Hemisphere. The 12th Congress had gumption in proclaiming to Latin Americans that it felt "great solicitude for their welfare" and was congratulatory towards their ideological choice to dislodge the "actual state of the monarchy to which they belonged."

As preeminent Western Hemisphere historian Arthur Preston Whitaker of the University of Pennsylvania pointed out in his landmark work, *The United States and the Independence of Latin America, 1800-1830*, the Mitchill committee's resolution was foundational because "it was the first statement of the kind made by any organ of the United States government."⁸⁴ The ideas expressed in the resolution defined two ideological principles that would become salient features in the language employed by U.S. politicians and officials to justify "solicitude" for the entirety of the Americas: hemispheric solidarity and republican fraternity. The former expressed the notion that the Western Hemisphere constituted a new world independent of and removed from the European sphere, while the latter suggested that the U.S. felt obliged to care for the new Latin American nations due to their adoption of the same republican and federal principles that characterized the U.S. Constitution.

The sentiments of Mitchill's resolution would become

enshrined in American statecraft for decades to come as the justificatory cornerstone of U.S. guardianship over the Western Hemisphere. These considerations in the select committee on the Spanish American colonies built upon the 11th Congress' work just a year earlier in enacting the so-called "No Transfer Principle" by a joint resolution of the House and the Senate. Tracing its origins to the Washington Administration and later arguments in Congress furnished by Federalists such as Senator Gouverneur Morris (F-NY), the No Transfer Principle sought to articulate U.S. opposition to the transfer of certain colonial territories in the Americas from one European power to another, particularly Spanish colonies to British domain.⁸⁵ This legislation would become another pillar of American foreign policy in the nineteenth century.

Both the Mitchill Resolution and the preceding No Transfer Policy contained vital components of the celebrated Monroe Doctrine of 1823. But while the Monroe Doctrine would only come over a decade after these first beginnings in Congress, the common narrative of American diplomatic history seems to accord President James Monroe and Secretary of State John Quincy Adams with complete credit for this now-essential canon of U.S. foreign policy principles. In other words, the Monroe Doctrine was an exceptional milestone architected with the energy of the executive branch, however, the evolution of this principle was at least a decade in the making and involved a collaborative process of alternating action between both political branches of government. The Mitchill Resolution was undoubtedly an important precedent to the Monroe Doctrine. Even the great American diplomatic historian Dexter Perkins mentioned the resolution in his discussion of influences on the President's foreign policy position in his tour de force, *A History of the Monroe Doctrine*.⁸⁶ Furthermore, it is important to realize that when President Monroe first unveiled the policy in

his speech, it did not seem at the time to be a groundbreaking transformation of American foreign policy. In fact, between 1825 and 1895, the “Monroe Doctrine” (as it would later become known) was almost absent as a recognized executive policy from the nation’s politics and history.⁸⁷ When examining the full record of policymaking with regards to U.S.-Latin American relations, the Monroe Doctrine seems unremarkable as a departure from existing foreign policy; it is more appropriate to consider it as a more substantive articulation of policy that had already been burgeoning in Congress and the Department of State for years since, at least, the Mitchill Resolution in 1811.

FIRST IN WAR, FIRST IN PEACE

While Clay and his allies had painted a rosy landscape of a painless victory in which the U.S. would usurp the British from Canada and the entire hemisphere with little more than the Kentucky militia, the reality was that the young congressional faction had no clue as to how difficult it would be to wage war on the world’s foremost superpower at the time. Both before and after the 12th Congress took office in the fall of 1811, neither the House nor the Senate was inclined to seriously shoulder the tribulations necessary to arm the nation for its ostensibly “inevitable war.” This lack of preparation translated onto the battlefields in the summer of 1812. In repudiating a solely sea-based conflict and confirming that territorial expansion was indeed a goal of the conflict, American forces first moved on Canada in a land expedition that was met with ignominious defeat and a counter-attack by the British on the garrison at Chicago in the U.S.-controlled Territory of Illinois. When General Henry Dearborn attempted to resuscitate the American campaign in November, state militias refused to follow him into enemy territory; this served as a direct abrogation to Clay’s claims to the House earlier in the year that state militias could be relied upon for excursions into Canada.⁸⁸ By the end of 1812, as Congress

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reconvened in Washington D.C. for its second session, the American cause was looking lost before it had even really begun.

Now came the dirty work: Congress had to work with the executive administration to direct the war that the legislative body had produced. In his landmark dissertation, *Congress During the War of 1812*, William Ray Barlow chronicled the conduct of the 12th and 13th Congresses and how they set precedents “criticizing, objecting, amending, and at times initiating war efforts.” While the President and Congress enjoyed a more collaborative relationship after the defeats of 1812, there were still several instances of crossfire between the executive and the legislature on particular measures of combat and diplomacy. Each attempted to influence the other with every new consideration. One such instance was the charter of a national bank, which would become the central issue of American politics in the coming decades: Congress insisted on instituting it to finance the war and President Madison resolved to veto the measure. Reverse instances came when the executive administration continually submitted appropriations necessary to maintain the war effort, with each item scrutinized by the House and rarely written off in the amount requested.⁸⁹

During the course of the war, the House of Representatives was the leading body as it had been during the initiation of the war. That chamber’s institutionalized committees and efficient, targeted operation resulted in its procurement of most war directives. Throughout the course of the conflict, the Senate proved unable to manage the flood of legislation the House sent; this would likely precipitate the establishment of the Senate’s own standing committee system after the conclusion of the War of 1812. Meanwhile, the House considered major changes, including the institution of a single Committee of Public Defense to manage the war effort. After much deliberation about the practicality and safety of such a system, the House resolved

to create the Military Affairs Committee that collaborated with the executive administration in much the same way that the Continental Congress war committees cooperated with General George Washington during the American Revolutionary War.

Although not officially a standing committee in its own right, the House Committee on Foreign Relations remained perhaps the most powerful panel in the body like in the previous session. It claimed jurisdiction over diplomatic affairs and the general spirit of the war. In describing the committee's aggrandized role in the course of the war, Representative Samuel Taggart (F-MA) wrote that it was "a junta composed of 5, 6, 7, 8, or 10 [members]..." Representative John Randolph, prone to exaggeration, charged that the Committee on Foreign Relations had "outstripped the Executive [President Madison]." Randolph further implored, "Shall we form a committee of this House, in quality a Committee of Public Safety, or shall we depute the power of the Speaker... to carry on the war?"⁹⁰ While Clay and Calhoun possessed powers far from those maintained by leaders of the sanguinary French Revolution (1789-1799), such as Maximilien Robespierre and Louis Antoine de Saint-Just, the allusion exudes the unprecedented power that a legislative committee was exercising over the formation of foreign policy and the conduct of diplomacy.

As the war carried on, the jostling between the Madison Administration and Congress reflected the dismal war effort. In general, American forces were being whipped on the continent but enjoyed surprising success in naval engagements despite British focus still being directed to the ongoing conflict with Napoleon in Europe. A year and a half into the conflict, the war had exhausted hawkish passions and inflicted its substantial damages upon both belligerents. By early 1814, there was considerable will on both sides to resolve the conflict; subsequently, initial peace talks commenced. As then-Majority Leader Robert C. Byrd (D-

WV) identified in his narrative history of the Senate in 1988, the constitutional requirement for the upper house to provide its “advice and consent” to treaties has resulted in interesting quandaries over the years regarding the active participation of members of Congress in the physical conduct of diplomatic negotiation. The first time this occurred though was in 1814, when Speaker Clay joined Senator James Bayard (F-DE) in a bipartisan five-member delegation to negotiate a peace with Great Britain in the Flemish city of Ghent, Belgium. While Clay had resigned from the House in order to attend and Bayard had not been re-elected for another term in the Senate, their presence in the negotiation of the treaty stirred some speculation about their political role in securing congressional support for the peace accord and the constitutional consistency with the separation of powers.⁹¹ While this would be the first noticeable instance of congressional participation in diplomatic negotiation, it would not be the final time the presence of senators and representatives on diplomatic delegations would be questioned.

Congress had its two representatives at Ghent to ensure the war it had waged was terminated on the federal legislature’s terms. Congress need not have worried that the result would be unsatisfactory, for the *Western Star* himself was to bring the British to task. As Clay stepped down from the Speaker’s chair amid the jubilatory well-wishes of his doting colleagues, one observer enthusiastically wrote at the time, “The war in which he had been most active in hastening, and most energetic in prosecuting, he was now to close...”⁹² Needless to say, Clay’s presence on the diplomatic delegation would guarantee smooth adoption of the agreement back in Congress, while also establishing credibility for the treaty among the war’s initiators and the public.

However, with Napoleon on his heels by April 1814, the British were reinvigorated in their aggression in America.

They stalled the peace negotiations through the summer while their forces defeated the U.S. Army at the Battle of Bladensburg in Maryland and then occupied Washington D.C., burning the Capitol and the White House to the ground. President Madison and Congress were forced to abandon their residences and flee for safe havens; Clay and the other peace commissioners could only watch helpless from Belgium as the devastation of the summer of 1814 unfolded. Congress returned to the capital in September 1814 to find the Capitol a smoldering pile of rocks and ashes; in the meantime, it met in the lobby of Blodgett's Hotel while the citizens of Washington D.C. desperately built the congressmen a temporary brick capitol building so that the federal legislature would not move the nation's capital back to Philadelphia, Pennsylvania. Doubtless while sitting in the hotel lobby in post-mortem, members of Congress would have reflected upon the lessons that the present war had impressed upon them. Thankfully for these legislators, Baltimore, Maryland was held in American control because of the efforts at Fort McHenry, repelling the British Royal Navy in one of the final major campaigns of the year and likely ensuring the survival of the American Union and the arrival of peace.⁹³

With the failure to close the campaigns of 1814, British commissioners at Ghent now seriously began seeking a peace settlement with the Americans. Negotiations proceeded quickly and by December 24, 1814, the Treaty of Ghent was signed by the two diplomatic delegations and ratified by His Majesty's government three days later. The Treaty of Ghent reached Washington D.C. in February 1815 and was ratified unanimously upon receipt by the Senate with little, if any, debate.⁹⁴ With blessed peace finally realized across the continent, there was a new sober recognition of the hardships of war: 2,260 American soldiers had been killed in combat and an additional 4,505 were wounded. In total, it is estimated that some 15,000 American soldiers lost

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their lives as a result of all causes related to the conflict.⁹⁵ But in its wake, the United States emerged intact with independence firmly secured from the former imperial motherland. And with the simultaneous defeat of the French at Waterloo (in present-day Belgium), the Napoleonic Wars also drew to a close.

For the first time since independence, internal American politics and foreign policy would no longer be measured in relation to the eternal struggle between Great Britain and France: the United States was now finally free at last to pursue its own destiny among the nations of the world. American culture in the postwar flourished with new symbols of national identity, including the poem “The Star-Spangled Banner,” and the zeitgeist reflected the optimism Americans had for their young republic’s future. The following Era of Good Feelings (1816-1824), an age of national political peace in which the Democratic-Republicans



The United States Capitol was razed by the British expeditionary forces under Vice Admiral Sir Alexander Cockburn and Major General Robert Ross on their march into Washington City on the evening of August 24, 1814. The nation’s capital was almost totally destroyed and Congress had to relocate to a temporary meeting hall until the United States Capitol could be rebuilt after the War of 1812.

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virtually wiped out their Federalist opponents after the latter's ill-fated secession attempts in New England, would allow the nation to heal and to begin building a bold new role for itself in the world beyond simply a pawn in the game between two imperial powers.

In addition to the conclusion of the War of 1812 and the emergence of the young republic from the Anglo-French dichotomy, the Age of Democratic Revolutions was slowly giving birth to a constellation of independent states in the Western Hemisphere; the United States would gain several sister republics in an increasingly-populated American neighborhood. When the French occupation of the Iberian Peninsula was defeated by the alliance of Britain, Portugal, and Spain in 1813, the American colonies were restored to their imperial authorities for a few years before rebellion broke out again. But the earlier Latin



The British delegates, led by Admiral Lord Gambier (holding the Treaty of Ghent, center left), shakes hands with American delegate and U.S. Minister to the United Kingdom John Quincy Adams (center), concluding the War of 1812. Adams stands in front of Secretary of the Treasury Albert Gallatin. Speaker Henry Clay observes the scene from afar, sitting in the chair behind the standing Senator James Bayard (hand on hip).

American juntas had introduced reformed government with democratic principles and localized sovereignty; Spain's attempt to return the status quo of central monarchical authority over these colonies in the wake of Napoleon's defeat in the Peninsular Wars, therefore, resulted in backlash and the resurgence of the Latin American revolutions by 1815. Thus, the Americas would once again be reopened by the end of the War of 1812 as a battleground for U.S. interests, which the young republic would consider pursuing more and more vigorously following its vindication in the "Second War for Independence." In the next decade and a half, the earlier signs of congressional statecraft in the Western Hemisphere, seen through legislation such as the Mitchill Resolution, would serve as important antecedents for further action and points of contention for those seeking to remain faithful to a more reserved foreign policy.

But just as changed by the War of 1812 as the international circumstances surrounding it, the United States Congress would emerge from its first substantial instance of foreign policy leadership as a renewed body vying for more agency in the accelerating statecraft of the American Republic. By the end of Clay's first two terms as Speaker in 1814, there was little reason to doubt that "Harry of the West" would be remembered in the annals of American history as "the most powerful man in the nation from 1811 to 1825."⁹⁶ In his mad dash to lead the nation into war and thus assert a sovereign American order in the Western Hemisphere, Clay had accrued substantial political powers into the previously impotent office of Speaker of the House. Contemporaneous to this centralization of power, the House began establishing a viable standing committee system that would enable specialization, permanency, and independence in the legislative branch.

This first period of congressional initiative in foreign policymaking led by the War Hawks and their precocious

chief Henry Clay would precipitate the continued institutional maturation of the House and the Senate's power structures. With the War of 1812 as its harbinger, Congress would be transformed by these developments and the emergence of a visionary generation of lawmakers that would produce the first age of American statecraft empowered through legislative assertiveness. And this ascendant generation of young lawmakers aspiring for the American Founding Fathers' glory had their guide, their Western Star. The young Speaker of the House was poised to lead Congress into an evolving age of legislative preeminence in foreign affairs that would last through the nineteenth century.

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Images:

Page 44: "Henry Clay," painting, 1818, via Wikimedia Commons, https://upload.wikimedia.org/wikipedia/commons/9/92/Henry_Clay.JPG (accessed May 4, 2016).

Page 55: "Henry Clay Senate3," engraving, circa 1855, drawn by Peter F. Rothermel, engraved by Robert Whitechurch, via Wikimedia Commons, https://upload.wikimedia.org/wikipedia/commons/c/cc/Henry_Clay_Senate3.jpg (accessed May 4, 2016).

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Page 86: "Signing of Treaty of Ghent (1812)," painting, 1814, Amédée Forestier, via Wikimedia Commons, https://upload.wikimedia.org/wikipedia/commons/7/73/Signing_of_Treaty_of_Ghent_%281812%29.jpg (accessed May 4, 2016).

THE FALLACY OF THE IDEOLOGICAL PRESS: HOW AMERICAN NATIONAL NEWSPAPERS REACTED TO THE FRENCH REVOLUTION FROM 1789-1793

Aaron R. Senior

INTRODUCTION

“Many people read newspapers who read little else—They live in retired situations, and feel a strong curiosity to know the news, and to join in the opinions of the day. To a retired man, a newspaper is always company—sometimes instruction.”¹

— Benjamin Franklin Bache

According to Benjamin Franklin Bache, newspapers in the United States sat at a vital juncture between the citizens and their government. Newspapers gave citizens the opportunity to learn about current events and gave politicians and newspaper editors the chance to publicize their opinions through editorials. However, as Benjamin Franklin Bache noted, newspapers not only provided a prominent method for education, but also commanded public participation. As political leaders in the United States competed with each other for power and influence, they used local and national newspapers to express their opinions to the public. With the explosion of newspapers during the 1790s and the introduction of partisan national newspapers, competing political communities formed as the gap between the government and the public closed. Newspaper editors, therefore, had an unprecedented amount of influence during this time and this thesis will analyze such influence.

By Ann Thibault
Life of the United States.
 [No. XLIII.] WEDNESDAY, SEPTEMBER 9, 1879. [Published on Wednesday and Saturday.]

THE TABLET—No. XLIII.

"The passion and prejudice of men often mask themselves under the name of virtuous freedom."

MY last number exhibited to the view of the reader two characters, who, without any bad intentions, were instrumental in keeping alive a spirit of jealousy and uneasiness among the people relative to the office of government. I shall now introduce some more of my acquaintance, whose motives perhaps are not quite so unexceptionable.

The noisy FUNDUS is more treacherous, if not more dangerous, than either of the characters just mentioned. His passions are so resolute that he can never examine any circumstance with candor, and deliberation. He carries every thing to extremes. Whether he is in or out of office, he creates many enemies against the government by his rashness and indiscretion. If, for or from his particular friends should happen to have a leading influence, he runs into a vehemence of applause on public men and measures. Should the reverse be the case, the whole fury of his passions takes a different course. He joins the disaffected and seditious, and reproaches public proceedings with acrimony and revenge. "Though he enters into no system to overthrow the government, and though his passions will vary or subside, yet he is a great fomentor of jealousy and uneasiness among the people." No person can entertain, like that of ISRAEL, waste itself in indefinite clamor, but he paints his arrows at particular objects, and hunts after them with eager and keen eyes. Different passions and feelings at different periods. By turns he is full of enthusiasm, refinement, antipathy, and attachment; and which ever of them prevails, it does not fling forth of the highest degree of ardor. When disappointed, he raves at the administration; when successful, he idolizes it. His passions are so violent, that upon the whole, FUNDUS, though he is not a man of knavery and intrigue, is still a dangerous character. The imprudence of his conduct is calculated to excite undue prejudices against the government, and fightheadedly well-meaning people will fall victim to them.

My acquaintance PROVERBS puzzles many people exceedingly. No person can penetrate more readily into the view of another—He is calm, designing and reserved. His favorite theories must not be called in question; and he approves or disapproves of any public transaction, according as it will promote or frustrate his peculiar system of politics. Such characters as PROVERBS are not common. It requires research to elaborate, and an attention to objects far more and perfecting, to form abstract systems, that a small portion of mankind will ever make the attempt. Few men have patience and application, and fewer still have the abilities and address to proceed systematically—Such speculative men often lead others astray; because their plans, when compared with practice and experiment, are fallacious. I entertain a good opinion of the talented PROVERBS, and have no reason to suppose his integrity, that he is so dark and incomprehensible, that when he happens to take a wrong way of thinking, he draws others into the same error, by flaring difficulties, with which common minds are perplexed and alarmed. I would recommend it to the next part of my readers, who love tranquility, to have little to do with men, whom they cannot understand. Plain, practical politicians, who are more suited for good actions than for broader fields, are the safest guide and comfort.

The vanity and ostentation of ORVIS is very disgusting. His dislike to public exercises proceeds from an affected humility of opinion. It is his highest sin to recompense himself to the world as a person of more than ordinary discernment. This easily accounts for the spirit of opinion which is so characteristic a part of his character. If he should acquire in any measure, which he did not originally possess, could prevent the pride and triumph of appearing the current opinion of mankind, and making known his more candid.

The only complaint which I have of ORVIS is, that he did not introduce it; but it is no argument, that he should not have done so. Thus have I delineated some of the motives and qualifications of a few individuals, for whose favorability, I have no reason. Their conversation, however, sometimes makes an impression; and it is sad that some of their adherents catch their fables. The prevalence of ORVIS from the temper of ORVIS, the government, the policy of ORVIS, and the whole, is unequalled in my favorability, and the whole of his disposition except his acquiescence

to ask of him. The turbulence of FUNDUS, his general animosity, and his eagerness to inaugurate evil. The mystery of PROVERBS, and pomp of ORVIS, all these the shallow and fickle-minded men error and instability. It would be well for persons to have a satisfactory solution to this question; whether there are not more causes than induce public men to seek the public preferment, than probably induce either of the characters marked out in this speculation.

NEW-YORK, SEPTEMBER 9, 1879.
 SKETCH OF PROCEEDINGS OF CONGRESS.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,

MONDAY, AUGUST 21.

INCOMMITTEE OF THE WHOLE ON THE JUDICIAL BILL.

TRISTED SECTION UNDER CONSIDERATION.

MR. LIVERMORE. I think this bill will entirely change the form of government of the United States. Several objections have been made on the clause: It is said to be the hinge on which the whole turns. Some of the objections which I have among others the great expense—by expense I do not mean the salaries of judges—who will have ever be greater than the whole expense of the judiciary throughout the United States; but I refer to the general expenses, which must be borne by the people at large, for judges, court houses, &c.—the expense of jurors and witnesses, and incidental charges will be another great burden. This is an expense borne without returning, and the people receive compensation in kind, and security and public justice; but if all these are to be decided otherwise, it will be a costly consideration. Another burden is the rapidity of the course of procedure in these courts, by which debtors will be obliged very frequently to pay their debts at a great disadvantage. Some say that this bill, created the inflexibility in the Commonwealth of Massachusetts; in other States similar modes of rapidly in the collection of debts have produced convulsions. This has been the case to the Northward, and as have been informed, but safe to the Southward.

This new-fangled system will eventually swallow up the State Courts, as those who are in favor of this rapid mode of getting debts will have recourse to them. He then adverted to the clashing circumstances which would arise in the administration of justice, by these independent courts having financial power. Gentlemen, said he, may be dissatisfied respecting dividing the labor, but these are serious difficulties—the influence manifested by the gentlemen from South Carolina—this rapid mode of getting debts will have recourse to them. He then adverted to the clashing circumstances which would arise in the administration of justice, by these independent courts having financial power. Gentlemen, said he, may be dissatisfied respecting dividing the labor, but these are serious difficulties—the influence manifested by the gentlemen from South Carolina—this rapid mode of getting debts will have recourse to them.

I do not think that the difficulties have been answered by any of the examples brought for the purpose. At the instance of the trial for piracy in the State of South Carolina, that was a private case, which could not otherwise be provided for; but these do rarely happen, then no precedent can be drawn from them, to render it necessary to establish these perpetual courts.

He then referred to the observations which had been made respecting those who are opposed to the clause, offering a substitute, and said he thought upon the whole that the motion made by Mr. Van, Gentlemen from South Carolina, (Mr. Burke), that there should be no district courts, is better than any substitute.

It may be proper here to refer to the Constitution: It is to have only appellate jurisdiction. It is argued from this, that there is to be inferior Federal Courts, in which these appeals are to be made; if the Constitution had taken from the State Courts all cognitions of Federal cases, (something might be said, but this is not the case). The State Courts are allowed jurisdiction in their cases.

It has been objected that bonds taken by the Federal Courts. I do not see why this cannot be done: Similar practices have been usual among us for some time, and there has been no difficulty. Admiralty Courts should have cognizance of all maritime matters, and be committed to their decision. I hope therefore that the clause will be disagreed no, or at least, and that the bill may be rejected, that a short concise system may be adopted.

Mr. VETTES. I conceive that the institution of general and inferior tribunals, are essential to the fair and impartial administration of the laws of the United States. That the power of making laws, of executing laws, and of judicial administration of such laws, is in its nature, inseparable, as it may be said, "to give justice, and to be done as well as to be done." The only plausible argument which has been urged against this clause, is the expense: It is true, that the expense must in some degree be necessarily incurred, but it will chiefly consist in the cost of the organization of your courts, and the erection of such buildings as may be essential—such as Court-Houses, Jails, and Offices, as the gentleman has mentioned—and what, at all events, do such expenses amount to—they are the price which is paid for the fair and equal administration of your laws: From your annually extending system of government, causes must necessarily multiply in a proportionately extensive ratio. These causes must be tried free, and whether it is in a State Court, or a Federal Judiciary, can, in the article of expense, make but little difference to the parties. It is only for the sake of more impartial justice transferring the business from one tribunal to another.

The gentleman has told us, that the people do not like courts; that they have been opposed and prevented by violence—may, by an illustration in Massachusetts: Surely this operates as a powerful reason to prevent the establishment of a general, independent, and energetic judiciary—where, if either the State Judges should be inclined, or a few of the Union should be inclined, they could ever frustrate the objects of justice—and besides, from the different provisions by the Constitution of the United States, and the different Constitutions of the several States, with respect to the inferior Courts, from time to time, it is equally impossible and inconsistent, to make a general uniform establishment, so as to accommodate them to your government.

With us for justice is equally distributed to every citizen of the Union, and should be fairly dealt by, and be impartially administered, that every citizen or citizen of the World, whether foreign or alien, friend or foe, should be alike treated: by this mean you would gain the doors of justice from all countries into your own, and in short, would make the United States of America, not only an Asylum of Liberty, but a Sanctuary of Justice: The faith of treaties would be preserved inviolably—your extensive funding system would have its intended operation—and your revenue, your navigation, and your import laws would be executed for to receive their many advantages—and in effect establish the public and private credit of the Union.

Mr. STANLEY. I have given the arguments with the attention which their weight demands, considering the respectability of the characters which have spoken upon the subject.

It has been said that the clause in the Constitution is imperative—if this is the case, let us see where it will carry us: It is founded on all hands that the establishment of these Courts is immutable; but the Constitution says, that Congress shall constitute such inferior Courts from time to time. The Constitution gives you a right to amend the judiciary power to all these cases specified; but it does not say that these powers shall be exercised over all these cases.

He then extended this idea to the Legislative Power, which it cannot be pretended that is incomplete, because it is not extended to all possible cases: Do you divest yourself of the power by not exercising it? Certainly not. This idea involves the principle mentioned by the gentleman from New-York, (Mr. Beaufort), that the establishment of these inferior tribunals or district courts, would draw the whole judiciary power along with them; that the clause which restricts their cognizance to a certain fund, is a nullity.

State Judges may be considered in two respects, as men, and as Judges: as men, they are to submit to the modification of the Constitution, as it respects them as men; as Judges, they are to consider their relation as such to the Constitution, and are to administer justice agreeable to that Constitution. If I am asked, how I can bring myself to consider the subject in a reverent manner? If I am asked, how I can bring of the several States cannot take cognizance of a law of the United States, because they are laws of men, you annihilate the whole justice of a blow.

It then appears to me that there is nothing that the State Courts are not competent to, but certain cases which are specially designated.

He then went on to say that there was no objection of treason which could be committed against

From the establishment of the original colonies through the ratification of the Constitution in 1788, local newspapers served their purpose in providing the relevant political, commercial, and miscellaneous news to their readership. In 1789, however, John Fenno, a young businessman from Boston, Massachusetts, decided to launch the new country's first federal newspaper. With the help of Rufus King and the support of Alexander Hamilton, Fenno hoped that his newspaper, the *Gazette of the United States*, would be just that: a newspaper that covered and supported the newly formed government of the United States. As Fenno wrote to King, the newspaper was "for the purpose of demonstrating favorable sentiments of the federal constitution and its administration."² For this reason, Hamilton gave Fenno full access to the government's resources; in return, Hamilton was given a public forum to express his own political opinions. Indisputably, the *Gazette of the United States* was courted, sponsored, and favored by the new government.

Toward the end of 1790, Benjamin Franklin Bache, decided to launch his own newspaper after returning from years spent in France. Bache originally launched his *General Advertiser* as a local Philadelphia newspaper, but it soon took on national distribution and significance. Bache was a staunch Republican and by the middle of 1791, Bache's paper became fiercely partisan, arguing for the restoration of republican principles in the government. Bache and his republican peers specifically disliked Hamilton's fiscal plans, as they believed that a national bank would place too much power in the hands of the national government and favor business elites over working class citizens. Instead, Bache and others argued for republican principles that would place more power in the hands of the states.³

Yet Bache's republican newspaper was not sufficient as the sole voice for the entire Republican Party. In October of 1791, Thomas Jefferson and James Madison sought to launch a government-sponsored national newspaper that officially

represented their own republican views. They found their editor in Philip Freneau, a revered Revolutionary War poet and writer. Jefferson even hired Freneau as a translator in the State Department and gave him access to exclusive dispatches and government information. Freneau's *National Gazette* directly opposed Fenno's *Gazette of the United States*, bringing Jefferson's republican principles in direct public conflict with Hamilton's federalist arguments. As this debate became transcribed in national newspapers, it was clear that partisanship had moved from President George Washington's cabinet to the country-wide public square.⁴

Almost every scholar who studied these national newspapers has made one key observation: as opposed to today's strict separation between the government and the media, these Early-American gazettes served as unequivocal mouthpieces for the political elites. In describing Fenno's relationship with Hamilton, historian Eric Burns writes, "Fenno was Hamilton's employee, but he was federalism's servant, and on one occasion, he went to extraordinary lengths, even in these times of scorched-earth journalistic practice, to do what he believed would promote his master's interests."⁵

This scholarly orthodoxy extends to the republican newspapers as well. Historian Jeffery Pasley writes in *The Tyranny of the Printer*, "The Virginia leaders [Jefferson and Madison] became so closely involved in Freneau's operations that several subscribers wrote to Madison rather than the editor with complaints about delivery problems."⁶ Scholars note that Jefferson and Madison maintained some distance from their newspapers, so as not to seem subversive to the federalist government. Yet they gave Freneau a job in the government, absolved him of all financial risk by finding the newspaper a financial backer, and even helped Freneau assemble a list of subscribers. Burns further points out that Jefferson and Freneau "virtually [had] the same relationship that Hamilton had with Fenno."⁷ Madison published regularly

in the *National Gazette* on every topic, from fiscal policy to the French Revolution to his general dislike of the federalists.

Scholars point to Benjamin Franklin Bache, ironically the national editor not directly associated with government affairs, as the most partisan editor of the three newspapers. Pasley explained that by the end of 1791, Bache took the liberty of outwardly polemicizing with Fenno, criticizing Washington, vilifying Hamilton, and supporting Jefferson's republican principles.⁸ Although Bache did not take orders from Jefferson and Madison directly, Bache toed openly with the Republican Party line, denouncing politicians by name instead of by their policies. For example, when the *National Gazette* launched an attack on Hamilton's fiscal plans, Bache followed suit with an even stronger criticism of Hamilton's plan for a national bank.⁹ Bache was a more extreme version of Freneau and thereby a more extreme editor supporting the Republican Party line.



Benjamin Franklin Bache (1769-1798),
founder of the *General Advertiser*

There were moments when these three editors published something that diverged from the opinions of their government patrons and their ideological pastors. For example, Fenno published a peculiar letter defending Jefferson, which said that criticisms leveled at Jefferson were “founded in the basest calumny and falsehood.”¹⁰ However, these moments were exceptional, as many scholars still maintained that Fenno, Freneau, and Bache aligned themselves ideologically on almost every major issue.

One of the major issues that occupied the pages of all three national newspapers was the French Revolution. Beginning in July of 1789, the French Revolution became an American obsession. In the Capitol, after violence broke out in 1791 and after factions in France began to develop, major disagreement arose within Washington’s cabinet. Broadly, Jefferson supported the French revolutionaries strongly, arguing that the French attempt to secure liberty and to check the monarchy was a laudable project worthy of the American government’s backing. Hamilton and John Adams, on the other hand, criticized the radical and violent factions in France, proposing that they were leading the revolutionaries down a dangerous path. Quickly, support for France became the central partisan issue within the government. The issue became more polarized over time; from the Citizen Genêt Affair of 1793-94 to the Neutrality Proclamation of 1793 to the ensuing debates regarding military support for France, Washington’s advisors bickered about this issue throughout Washington’s entire presidency and beyond. Furthermore, Jefferson himself admitted to Washington that he helped establish the *National Gazette* in the hope that it would cover French affairs more sympathetically than the *Gazette of the United States*.

Several historians over the past decade have covered the American reaction to the French Revolution, but almost none of them devote research exclusively to the reaction of these national gazettes. Historian James Tagg, as well as Burns and

Pasley, all give examples of newspaper coverage of the French Revolution, but this research is done as just another example of how these editors mimicked the opinions of their respective political elites. Scholars David Waldstreicher and Simon Newman discuss American celebrations of the French Revolution and the coverage of those events in newspapers, but these historians do not spend any time analyzing the opinions of the newspaper editors themselves.¹¹ Seemingly, they concur with the traditional narrative: the celebrations and their respective coverage in the newspapers fell along party lines with the Republicans supporting the French Revolution and the Federalists opposing it. Finally, historians Matthew Rainbow Hale and Colin Wells, among others, have devoted time to examining the American reaction to the French Revolution, but none of them examine the nuances between any of the particular newspapers.¹² Each of these historians thereby assumes that across the board, politicians, editors, and citizens alike fell into either the Federalist or Republican camp at almost the exact same time and in the same manner. Overall, historians have spent time examining the American reaction to the French Revolution and the debates that went on surrounding this issue, but none have analyzed the reactions over time of the national gazettes themselves.

Do the three national gazettes between 1789 and 1793 truly align themselves with the opinions of the party leaders on the issue of the French Revolution? Within the current scholarship we have no reason to assume that they did not align, but this essay will take a closer look.

Partisan politics in Early America has too often been studied through the lens of political decision makers. This has allowed so many historians to mistakenly assume a homogeneity within each of the emerging parties. The realities of partisanship are often much more complicated. The diverse reactions of the first national gazettes to the French Revolution is only one small, but important way of complicating this conventional approach.

The opinions of political elites are valuable and warrant further study, but these ideologically-driven politicians do not speak for everyone. Analyzing other political players within their own contexts and through their own words is therefore a necessity.

Devoting my analysis solely to these newspapers' commentary on the French Revolution and the differences that existed between these newspapers on that very question, I hope to give a definitive answer to this currently underexplored and over-assumed topic. I hope to demonstrate that newspapers' alignment with party ideology and political sponsors is an insufficient explanation of each newspaper's early thoughts on the French Revolution.

AMERICAN NEWSPAPERS LOOKING OUTWARD: THE INADEQUACY OF IDEOLOGY

Despite the more than three-thousand-mile distance between Philadelphia and Paris, France, American newspapers were filled daily with news concerning French affairs. From military updates to legislative changes to open letters and anecdotes, editors during the early 1790s sometimes filled several pages of their four-page newspapers with French matters. The three national newspapers of the time were of course no exception, and even had an advantage over local newspapers due to their closer proximity to and better relationship with the government. Although news took about three months to travel from France to the United States, these national newspapers had first access to everything, from French intelligence to private letters exchanged between political elites from both countries.¹³

Additionally, quantitative evidence further supports the claim that the French Revolution was a significant chunk of newspaper reporting and discourse. Key words and phrases such as "France," "French," and "Louis" were prolific. The *National Gazette*, with only 207 issues in total, mentioned the

word “France” 1,166 times, the word “French” 1,340 times, and the word “Louis” 213 times. A similar search of *The General Advertiser’s* 1,232 issues produced the same key words 3,743, 6,557, and 557 times, respectively. Lastly, within the *Gazette of the United States’* 447 issues, these words appear 1,469, 1,531 and 293 times, respectively. When examined on average usage per day, each newspaper produced similar results—using the first two words between three to six times an issue and the last word about once an issue.¹⁴ Therefore, the French Revolution was a major topic, if not *the* major topic, of American national newspapers between 1789 and 1793.¹⁵

The basic questions follow: why were American newspapers nearly obsessed with the French? Was it the historical connection between the United States and France? Was it the shared values and principles of liberty, equality, and hatred for despotism? Or did newspapers highlight the topic because everyone around the world was writing about it too? American historians, unsatisfied with these cursory answers, provide insight into editors’ true interest in French affairs. The conventional scholarly account states that just as partisanship began to rise between Federalists and Republicans, each side looked at the French Revolution through its own ideological lens—using the French Revolution to argue for its respective philosophy.¹⁶ In essence, the ideological approach that Washington’s cabinet members took toward the French Revolution was replicated in the national newspapers.¹⁷ On one hand, the Republicans supported the French Revolution due to shared principles of popular sovereignty and anti-monarchy. On the other hand, the Federalists opposed the French Revolution because it bred violence and it overthrew law in favor of chaos. The French Revolution also abolished the orderly and hierarchical structure of a stable government. In essence, this standard explanation views ideology as the main catalyst for the debates surrounding the French Revolution.¹⁸

This conventional approach is supported by overwhelming evidence, from the American thoughts on the Thomas Paine–Edmund Burke debates of 1789–95, to the letters of Jefferson and Adams, to the Citizen Genêt Affair, to the Neutrality Proclamation, and to the Jay Treaty of 1794–95. However, this perspective analyzes the political elites and assumes that every political actor below them—newspaper editors and citizen leaders alike—took the same approach.¹⁹ The Federalist and Republican newspapers say something much more complex though. As I will show through this essay, newspaper coverage of the French Revolution—and particularly, the three main themes of universal liberty, friendship, and monarchy—did not always mimic these partisan divides based on ideology. This chapter will show in both the data and the reading of the sources that this conventional approach does not apply well to the national newspapers of the time.

Universal Liberty

One of the most popular themes in American national newspapers was the French move toward universal liberty. The conventional account, therefore, claims that while both Federalist and Republican politicians and newspapers agreed in the beginning of the French Revolution on the merits of France's move toward universal liberty, the Federalists, when violence arose, ceased their support for liberty in favor of order. While the Republicans remained strong in their support of the French cause since their ideology championed liberty, the Federalists, due to their ideological support for government stability, could not support the French Revolution's actions any longer. However, as one will observe, there are two problems with this explanation. First, the Federalist press' turn away from the French fight for liberty did not coincide with the beginning of violence and radicalism in France. Additionally, opinions published in the *Gazette of the United States* on French matters did

not coincide with the ideological debates of leading politicians such as Adams and Hamilton in mid-1791. Rather, the Federalist and Republican newspapers agreed on the merits of the French Revolution for much longer than expected—through the middle of 1792. Thus, the basic contention of scholars does not hold up; while one would have expected the Federalist press to oppose the French Revolution as early as 1791, the *Gazette of the United States*' opposition surfaced much later.

Across all three newspapers, including the federalist *Gazette of the United States*, the usage of the word “liberty” rose over the beginning years of the French Revolution. While in the 1789 issues of the *Gazette of the United States*, “liberty” was used in the French context only 9 times, it was used 29 times in the 1793 issues. Similarly, in 1791, “liberty” was used in the French context only 8 times by the *National Gazette*, but 30 times in 1792 and 50 times in 1793. Finally, the *General Advertiser* mentioned “liberty” in the French context 20 times in 1790, but 56 times in 1792 and 49 times in 1793.²⁰ While these numbers may appear small, it is important to note that two of the three newspapers published only four-page newspapers twice a week. Using “liberty” and “France” together in 50 articles over the course of a year is a clear indication of the rise of this rhetorical connection. Violence began in July of 1791 with the killings at the anti-royalist demonstration at Champ de Mars and continued through 1792 and 1793 with the September Massacre and other counterrevolutionary feuds. Additionally, in June of 1791, Federalists such as John Quincy Adams wrote in opposition to Paine's celebration of the French cause, while simultaneously Jefferson despised the federalist newspaper coverage of the French Revolution; but despite all of this, opinions surrounding liberty during the French Revolution continued to rise in usage across the board. The supposed ideological divide is absent from these years. A further examination of the newspaper content will shed a more complex light on both Federalist and Republican

support over these five crucial years.

From the very beginning of the *Federalist Gazette of the United States*, Fenno's newspaper praised the French Revolution for its support of universal liberty. As one will observe, the rhetoric from 1789 through 1792 consistently remained positive and even increased in frequency over time. The apparent violence in France and partisanship in Washington's cabinet apparently did not affect Fenno. Buried on Page 2 of the July 29, 1789 issue of the *Gazette of the United States*, was a short but powerful passage, praising King Louis XVI of France for calling the Estates-General to order on April 27th. The passage began:

The magnanimous policy conspicuous in the above speech—the openness, candor, and paternal affection which breathes in every line of it, contrasted with edicts of former Kings of the same nation, evince the liberality, enlightened policy, and superior wisdom of the present age—THE ERA OF FREEDOM—OF UNIVERSAL LIBERTY! In the Western world, she first broke the chains which held mankind in servitude—and having fixed her temple in our favored country, she is spreading her salutary reign throughout the world.²¹

American writers viewed this calling of the Estates-General in an exceedingly positive light. Three unique elements emerge from this celebratory piece. First, the American writer saw the French Revolution as a major shift away from tyranny and towards liberty by calling a meeting between the three French Estates—the clergy (First Estate), the nobility (Second Estate), and the common people (Third Estate). Second, the author specifically praised the King of France as the “wise and magnanimous monarch of France.” Despite not altering the very structure of the French monarchy, the Americans still praised the French

monarch and considered the King's move to be one of "paternal affection." Third, the author noted that this new French liberty was an extension of American efforts, a symptom of the ripples caused by the American Revolution.²²

Over the course of the French Revolution, the *Gazette of the United States* became almost obsessed with its global impact. On Page 3 of the January 2, 1790 issue, three of the seven articles in the folio discussed the French Revolution and its recent accomplishments. As the New Year's edition of the newspaper, the editor published several poems and articles that reviewed the previous year of 1789.

If one had any doubt about the American interest in the French Revolution, one should look no further than the "Ode to the New Year." With a full stanza dedicated to the French Revolution, the ode celebrated 1789 as the year that "saw our rights secured, and Europe freed." Only months after the Storming of the Bastille, the author shrewdly noted the immense historical significance of the French Revolution's beginnings, stating, "Long shall thy numbers, in our annals shine." The author continued, "It almost finished; Europe almost free, / May Frenchmen use their power, so late retrieved, / In Humbling pride, and righting the aggrieved." This dramatic applause of French accomplishments also demonstrated a deeper connection between the Americans and the French; the author used the viewpoint of "ours" and not of "theirs"—"in our annals shine" and "that saw our rights secured"—indicating a shared goal and project.²³

Although it started more than a year after the *Gazette of the United States* began, the *General Advertiser* under Benjamin Franklin Bache employed similar rhetoric. On October 4, 1790, Bache published a letter by Madame La Chevaliere D'eon that stated, "Louis XVI: thou art the first Monarch in the world who has confirmed in the face of heaven and earth the liberties of thy people...worthy the love of the whole human race."²⁴ On

the next day, the newspaper printed additional letters and a toast about France. One letter claimed, "Liberty is a plant of quick growth, takes deep root in short time, and spreads rapidly."²⁵ The toast read as follows:

The Majesty of the People. Universal Liberty. Those who have lost their lives in defense of it. The father of our constitution. Those who have laid its foundation in their immortal works: Locke, Milton, Rousseau, Sidney, Needham, Mably, Price...The memory of those who perished in the dungeons of the Bastille. The United States. May the closest union, founded on a solid basis of commerce and friendship, subsist between them and France.²⁶

Similar to the *Gazette of the United States*, the author of the toast used many of the same themes: universal liberty, the United States' role in that liberty, a celebration of the Bastille, and the friendship between the United States and France.²⁷

This optimism and praise remained consistent through 1791. On July 6, 1791, Fenno published an article that showed how individual writers were successful in both predicting and catalyzing the French Revolution through the spread of their ideas. The article ended,

The Philanthropist and Philosopher are highly gratified in reflecting that this Revolution has taken place, and upon such principles as must ensure its success; and may safely conclude from this pleasing prospect, that similar revolutions, in favor of the rights of humanity, and founded on similar principles, will soon pervade not only Europe but the world.²⁸

Despite reported violence and conflict at this time in France, the

federalist newspaper maintained this identical rhetoric.

On November 30, 1791, the *Gazette of the United States* continued to praise the French Revolution, remarking, “Liberty is not only secured against many former dangers, but it has fewer enemies to contend with. As knowledge spreads through Europe, it gains authority over the hearts of its adversaries; Kings begin to talk like good republicans—they give a tone to the fashion of being free.”²⁹ Fenno cited republican sentiments themselves, making it clear that even in late 1791, positive sentiments toward the French remained. While the conventional historical approach expects Federalists to contend strongly with republicanism at this point, this is clearly not the case.

In his letters, Jefferson claimed that in April 1791 he and Madison commissioned Freneau to form a republican newspaper because he disliked Fenno’s coverage and opinion of, among other things, the French Revolution.³⁰ However, when looking at Fenno’s newspaper up until this point, the supposed turn against the French Revolution is not found. From 1789 through 1791, Fenno remained true to the French Revolution’s effects and potential. This is further proof of a divide between the ideology of leading politicians and the opinions of newspapers and their editors.

Some may point to the Publicola debates, however, as proof that the federalist newspapers did turn against the French Revolution in 1791. At the end of June 1791, John Quincy Adams penned an article under the pseudonym Publicola, which eventually was published in the *Gazette of the United States*.³¹ In the article, he sharply criticized Paine’s *Rights of Man* and drew a distinction between the American reformation of the English constitution based on enlightened principles and (contrary to?) the French radical revolution that wished to overthrow an entire governmental structure. Adams argued that the French Revolution’s reforms would not take root because they did not impose natural and comprehensive change of government.

Immediately, Publicola became a public focus, receiving no fewer than 25 responses under the pseudonym Brutus, whose articles were published in the *General Advertiser* in July and August of 1791. Critics took issue with almost every claim Adams made. However, the *Gazette of the United States*' support for the French Revolution and the liberty it produced did not change after Adams' article was published. While Republicans were fast to criticize, they were indeed criticizing politicians including Adams, not the newspapers or their editors themselves.

Through 1792, praise of French activities still remained, though most articles were relegated to the sides of the newspapers under the "Philadelphia" section, which discussed events happening in the nation's capital. Seemingly, the Publicola article was an exception, as praise for the French cause continued. On April 28, 1792, for example, the *Gazette of the United States* defended the people of France against governmental and religious censors. The article stated, "Two things are clear—that the people adopted, and that they support the present government. It is the glory of Americans that they have done this...The people of America have as many good reasons to approve their own deliberate work, as the French nation."³² Invoking the principles of republicanism, the author gave full support behind the revolutionaries who exercised their power to establish the government and tailor it to their will. Additionally, in celebration of Bastille Day (July 14), the *Gazette of the United States* recounted "various demonstrations of joy," as well as seventeen toasts, which included toasts to "The French Nation; their Constitution and King. May the Freedom which dawned encircle the globe. Victory to the French armies over the foes of Liberty. Liberty or Death. The President of the United States."³³ Indistinguishable from the toasts of 1791, this utterance further proves the extreme regard for liberty that the Federalists had and their strong alliance with the French cause.

Furthermore, Federalists maintained hope for the French Revolution, writing,

The people of the United States are now in possession of what [a] great part of the European world are laboring to obtain—a government of their choice...and while every real friend to the happiness of mankind most ardently wishes success to the struggles of oppressed humanity in the eastern hemisphere, he will spurn with indignation every insidious attempt to blast the prospects of this country under the auspices of that government whose basis is freedom, and equal rights of man.³⁴

With caution, Fenno's newspaper remained in strong support of the French Revolution, not only for France's past accomplishments but for its future potential.

Fenno's rhetoric was almost identical to that found in the *General Advertiser* and the *National Gazette* alike. Historians have explained that "During its two-year existence, the *National Gazette* was almost identical to the *General Advertiser* in its praise of the French Revolution."³⁵ Established only at the end of 1791, the *National Gazette* immediately began covering and commenting on the French Revolution extensively.³⁶ On December 12, 1791, Freneau published an article under the pseudonym Aratus, who claimed that the "assent of the King to the constitution has completed the French Revolution." With immense praise for French progress, Aratus linked it to human progress, asserting, "As the friend of humanity, I rejoice in the French Revolution." However, Aratus went on to write,

But as the citizen of America, the gratification is greatly heightened. From a variety of circumstances, I have been led to believe, that if their effort had failed, the calamity would not have been confined to themselves alone, but

have communicated its destructive influence to the noble fabric we have raised. The fate of the two governments has appeared to be intimately linked together; and that of either dependent on the other. What their circumstances are, that should warn every good republican to stand on his guard.³⁷

The rhetoric surrounding humanity's progress and the United States' influence were similar, but the *National Gazette* went a step further than Fenno and Bache. Aratus claimed that the results of the French Revolution would be extremely impactful on the American project; if the French were to fail, Aratus warned, then the American Constitution and its principles will be questioned. Accordingly, the French Revolution's principles cannot and should not merely be admired from afar, but deeply and closely monitored. This indicated a slight shift in the thoughts of American newspapers, but surely not in any partisan proportions.

If the federalist support for the French did not turn during the early chaos, riots, and wars abroad, as well as during the early partisan bickering at home, when does their support for universal liberty halt? Within the *Gazette of the United States*, the first major criticism came on October 3, 1792, from an article published under the pseudonym Cato. This finding presents an immense sixteen-month lag between the violence in France in July of 1791 and Fenno's eventual turn away from the French Revolution in October of 1792. During this period, Fenno expressed almost identical sentiments toward France and its praiseworthy pursuit toward universal liberty. This gap between Fenno and the partisanship of elites, as well as the violence in France demonstrates that Fenno was not predominantly animated by Federalist ideology, nor was he the mouthpiece of Adams or Hamilton. This lag indicates that Fenno acted autonomously when it came to the French Revolution, allowing the newspaper to express its own opinions and pursue its independent agenda.

Finally, when Fenno's newspaper turned against the French Revolution, the author known as Cato expressed "deep concern" over the progression of the insurrection. Cato not only recounted and despaired over the violence, frenzy, and chaos in France, but also applied it to the United States in two ways. First, he stated that

as men anxious for the happiness of our fellow men,...
as Americans who gave example to twenty-five millions
of people,...as individuals possessed with sensibility, we
cannot be indifferent to the future of those individuals
who...are endeavoring to procure for their own country
a participation in that freedom, which they assisted in
procuring for us.³⁸

As Americans who both inspired the French Revolution and benefited from French assistance in the past, Americans must feel concerned with French affairs, which were in "extreme disorder and jeopardy." Cato here maintained universalist rhetoric, but argued that the world was failing to achieve that universalism. Second, Cato argued that the factionalism and the chaos in France should worry Americans now, since the United States has men just like those in France who are "discontented" with the government and who wish to destabilize it.³⁹ Cato thought that Americans should guard the country from those people, namely the Republicans, or else events that happened in France will unfold in the United States. Cato used the French Revolution as a polemical device, not because others disagreed with his analysis of the French Revolution, nor because Cato and the *Gazette of the United States* suddenly realized that their ideology did not fit with the French Revolution.

Additionally, in early November of 1792, the *Gazette of the United States* took its first shot at Bache's understanding of the French Revolution. On Saturday, November 3rd, the

newspaper published a letter to Fenno signed by Philanthropis. The letter criticized the French Revolution, noting, “that the people of France have swerved from the original principles of their revolution—that the new constitution has essentially been violated—and that reason and judgment are overwhelmed by the boisterous voice of faction.” The Federalist view clearly shifted here against the violent wars and treatment of the King. Furthermore, Philanthropis responded to those who claimed the violence was all due to the tyranny of the monarchy by asking,

But what despotism bears half the ills in its train as that of anarchy and confusion, where every sacred mound raised for the security of life, liberty and property, is levelled [sic] by the torment of lawless power? The unhappy situation in France, while it demands our sympathy, presents a thinking example of what is to be expected from the passion of men uncontrolled by government and laws.

While the revolutionaries claimed that their actions were in line with liberty and security, in fact, they violated those principles by creating chaos and torment. The federalist newspaper here, therefore, completely flipped away from its original support of the French Revolution.⁴⁰

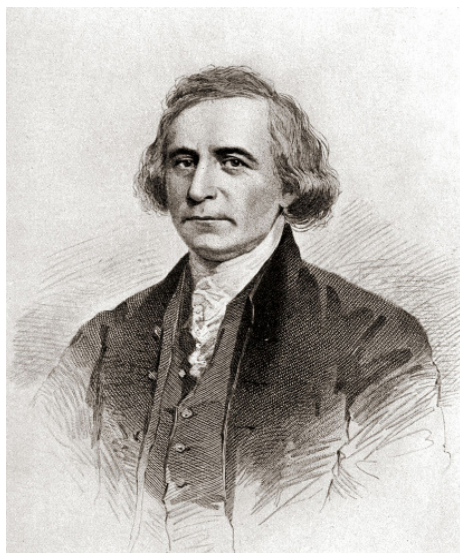
In the next issue of the *Gazette of the United States*, a Federalist reader used the Philanthropis article to parody and to criticize the Republicans. The author wrote, “Mr. Fenno, please republish the following parody on the piece signed Philanthropis.” The new article was addressed to Bache and noted “that the people of France have improved upon the original principles of their revolution, by a bold step of rational republicanism, and a dereliction of the gothic system of inviolability in the supreme executive.” The author continued parodying the republican stance, adding, “As to the late excesses, they are the natural

effects of the flings of old wounds, received from the hands of despotism” and further showed a “striking example of the excesses that may be expected from the efforts of men, rising from oppression and breaking the shackles imposed on them by lawless ambition.” The author closed the parody with a supposed message to Americans: “May America continue that happy country, where the supremacy of the people, the best securities of their liberties, shall always be superior to the restless efforts of an aspiring law.” In a scathing and almost humorous parody, the author mocked what a Republican may write to Bache—not only are the excesses justified, but also that law in general may be disposed of in favor of the wishes of the people. To that line of argument, the author broke from the parody in an asterisk below, stating, “One of the first principles of republicanism is, that the Law is Supreme.” If one assumed that the will of the people is supreme, this writer argued, it would therefore create two Supremes—an impossible situation according to the author, citing the English playwright William Shakespeare. Without the sole supremacy of the law, “Liberty almost expires in the contemplation—confidence is annihilated, and existence hangs upon a thread.” As Fenno turned against the French Revolution, he not only criticized the French themselves, but also poked fun at the domestic supporters of the French Revolution.⁴¹

While criticism of France came from the *Gazette of the United States*, the republican newspapers stayed steady in their support for the French Revolution. The *General Advertiser* called the French Revolution “a glorious cause of liberty” and led celebrations to commemorate every French act from the establishment of the French Constitution of 1791 to the anniversary of the establishment of the French Republic in 1792.⁴² The newspaper not only kept the language of liberty intact throughout, but also frequently mentioned the strong connection between the French and American Revolutions. On January 2, 1793, the *General Advertiser* published a piece that

covered a large republican celebration of the French triumph at Valmy—a crucial French victory. The article enumerated fifteen “truly republican toasts” including a toast to France, “may her republican form of government last as long as the sun shines or the waters run,” and to President Washington, “because he is a friend to the rights of man.” Additionally, toasts were given to ideas, including, “the undisguised political principles of 1776” and “May the sun of liberty illuminate the universe.”⁴³ In this toast and several others, Republicans showed that not only were their republican principles being applied in France and throughout the world, but also that the very principles of the American Revolution and the Spirit of ’76 were being applied in France. Thereby, the Republicans claimed to be the authentic carriers of the American Revolutionary tradition. Throughout 1793, the *General Advertiser* covered all major celebrations including the Franco-American Alliance, the Storming of the Bastille (July 14, 1789), and the Insurrection of August 10, 1792.⁴⁴

Freneau’s *National Gazette* shared similar sentiments. In 1793, the *National Gazette* recognized a strong uptick in the popular sentiments around the French Revolution. An author wrote in 1793, “a year ago, the merits and importance of the French Revolution, were confined...to but a few speculative politicians in this country. But at present...thousands who were then scarcely affected by its animating influence are now warmed and invigorated.”⁴⁵ Although the tens of celebrations from the beginning of 1791 debunk this theory of popular inactivity, the author’s thought still shows how the French Revolution was central in 1793. This supposed increase in celebrations coincided with the federalist turn against the French Revolution. While some may claim it was the violence, wars, or King that caused this split, the newspapers themselves do not hint it, nor would this line of thought explain the sudden republican rise from “a few speculative politicians” to the “thousands” of supporters. Therefore, this phenomenon does not suggest a sudden



Philip Freneau (1752-1832),
editor of the *National Gazette*

ideological divide between the newspapers, but a political one in which the Republicans highlighted their support for the French Revolution to break with the Federalists.

In 1793, familiar rhetoric was used by the *National Gazette* including statements such as, “it is natural for every American to feel a peculiar interest in the affairs of France since besides the common motives of philanthropy and love of liberty, he must consider the struggles of France as a continuation of the glorious struggles of his own country.”⁴⁶ The author, writing under the pseudonym of Philadelphus argued that Americans should not only care about the humanitarian concerns and the common principles of both Revolutions, but also about the contemporary well-being of the country. Another author urged readers to “aid the causes of republicanism in France, if not from principles of gratitude...[then] from motives of your own prosperity.”⁴⁷ Seemingly, the United States’ prosperity hinged on the outcome of the French Revolution. Whether it tangibly hurt

the United States economically or it just theoretically called the vitality of republican principles into question, the writer here showed that care for the French Revolution went beyond the classical principles of republican ideology and fundamentally impacted American prosperity.⁴⁸

In their reactions to the French Revolution, national newspapers used the language of liberty to celebrate the French cause. The language used in opinion pieces and celebrations typically repeated the concept of universal liberty and the deep connection between the Americans and the French. Although a split over France did eventually fall along party lines, the split did not come when the politicians themselves split; between the end of 1791 through the end of 1792, the French Revolution was violent, the American political parties were forming, and yet everyone agreed on the French Revolution and its merits. Furthermore, even after the split occurred, both federalist and republican writers seemed to go beyond ideology in their rhetoric—hinting at more complex and political motives. By ignoring the day-to-day opinions of newspapers, the conventional historical account fails to see the divide between republican and federalist newspapers and the ideological politicians of the period. As one will later observe, the newspaper editors were more beholden to the ideas of journalistic nonpartisanship than were their patrons.

Friendship and Sympathy

Reading through the philosophical and political discourse on the French Revolution, it is almost impossible to miss the language of sensibility, friendship, and brotherhood. After all, one of the three French principles was *fraternité*, or brotherhood. While sensibility, friendship, and brotherhood are not synonymous with one another, they each imply a connection between the United States and France that runs deeper than just outside viewers and commentators.⁴⁹ American newspapers

declared shared motives, goals, principles, and outcomes with the French Revolution. Toasts, poems, and celebrations not only served as intellectual congratulations, but also displayed emotional and familial relations between the countries. Additionally, these sentiments not only pervaded the top echelons of American politics, but also were latent in the newspaper coverage of the French Revolution. Interestingly, however, politicians and newspapers used these phrases differently and at different times. This section will provide further proof for the phenomenon displayed above—the commentary of newspaper editors on the French Revolution was not driven by ideology, but by some other factor. According to Wells,

The language of liberty owed its ascension in the 1790s to a very different discursive source as well: notwithstanding the political origins of the discourses of liberty and rights in Enlightenment thought more generally, it also drew particular power from the degree to which it also overlapped with another emerging discourse of the time—that of sensibility or sentimentalism, which had pervaded literary discourse (if not political) throughout the 1780s in Britain and elsewhere.⁵⁰

Several other historians have also discussed this era of sensibility, sentimentalism, and feelings and have shown its pervasiveness in popular political culture.⁵¹

On October 27, 1789, the *Gazette of the United States* published an article entitled, “Authentic Information,” discussing the concept of sensibility in the United States. It declared, “A happy revolution of sentiments is observed to have taken place throughout the United States: Local views, and narrow prejudices are universally reprobated—A generous national spirit pervades the whole Union...even the distinctions of the states are scarcely heard...we are proud to be distinguished by the name

of the Country we inhabit, Americans.” In a newspaper filled with local news and opinion articles, a sociological observation seems strange and out of place. This puzzlement regarding the relevance of the rise in national culture and sensibility was answered in the next paragraph though. According to the author, the United States in its sentimental and national state has the ability and the obligation to look past its borders and recognize its influence worldwide. When looking at France, the author claimed, “America may indulge [in] a laudable pride on this occasion” due to its ability to spread the ideas of liberty through friendship.⁵²

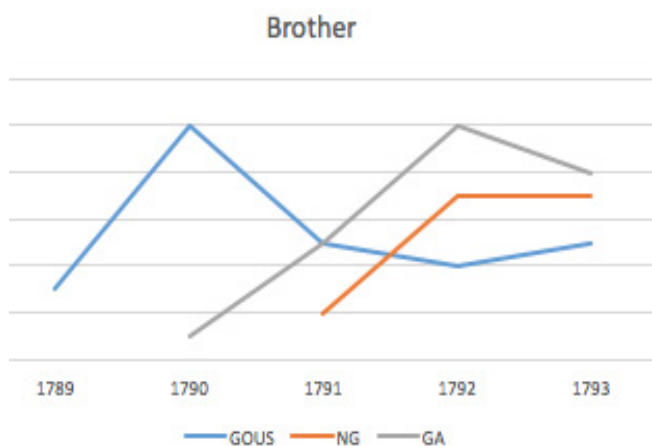
Picking up on the existing discourse of the time, American newspapers like the *Gazette of the United States* applied the language and ideas of sentimentalism to their brethren across the Atlantic Ocean who seemed to be engaging in a similar revolution. This was the perfect opportunity for Americans to express their care not only for those within their own borders, but also those fighting for similar causes, no matter their location. As Wells noted, the form of sentimentalism was a natural continuation from universal liberty—once a universal community is formed to fight for liberty, people within the community will sympathize with the struggles of others within it.⁵³ As the *Gazette of the United States* commented in 1789, “Every citizen of the world—every friend to the rights of mankind—and more especially every citizen of the United States, must feel interested in the important transactions in the Kingdom of France.”⁵⁴ Friendship and citizenship, in short, require feeling and sensitivity.

In this section, I hope to support two separate, but related, claims. First, the language of sensibility does not seem to follow the supposed partisan divide, as Republicans failed to invoke the language of friendship and sympathy until the end of 1791. This furthers the claim that the French Revolution was not as ideologically driven as many people think. Second, the very nature of these discussions brings the parties beyond ideology.

Through the language of friendship and sensibility, newspapers showed not only their support for the French Revolution, but also a deep connection to it. From 1789 through 1791, the partisan paradigm flipped, as federalists displayed this deep, sensible connection while republicans did not. Then in 1792, the parties exchanged positions on this very issue. Whereas there was little partisan difference until late 1792 between the federalist and republican newspapers on the topic of universal liberty, partisan difference existed immediately on the topic of friendship. The question is what motivated this partisan divide: differing ideology or some other factor? This back and forth between the newspapers indicates much more than ideological differences, as no ideological change was even reported at this time. The eventual departure on lines of friendship shows that the terms of this debate were about political legitimacy—an argument not over philosophy, but over who were the true friends of the American project.

One observes this trend explicitly in the usage of the terms “friendship” and “sensibility” over this period. The *Gazette of the United States* used “friend” and “France” in the same context 4 times in 1789, up to 8 and 7 times in 1790 and 1791, respectively, and down again to 4 and 5 times in 1792 and 1793, respectively. Conversely, the *General Advertiser* used “friend” in the same context only 1 and 11 times in 1790 and 1791, respectively, but then 15 and 25 times in 1792 and 1793, respectively. The *National Gazette* also associated “friend” with “France” 9 and 17 times in 1792 and 1793, respectively, as opposed to only 1 time in 1791.⁵⁵ Although the changes seem small and possibly insignificant, taken in relation to each other, there is a clear inverse trend between the federalist and republican national newspapers.

The same analysis with the words “brother” and “France” uncover similar results. The federalist newspaper used “brother” and “France” together 1 time in 1789, then 10 times in 1790 and 5, 4, and 5 times in 1791, 1792, and 1793, respectively—



The usage of the word “brother” by all three newspapers in the context of the French affairs

indicating a peak in 1790. The opposite is found in the republican papers. In 1790, the *General Advertiser* used these words together 1 time, while it used them 5, 10, and 8 times in 1791, 1792, and 1793, respectively. Similarly, the *National Gazette* used the words together only 2 times in 1791, but used them 7 times in both 1792 and 1793. While no such trend exists in terms of liberty over the same period, the trend within friendship is apparent—indicating a partisan proclivity in terms of American sensibility to the French Revolution, not a mere ideological difference. Only once republican usage went up while federalist usage went down. The graph below elucidates this trend for the word “brother.”

Further analysis of the usages of friendship, brotherhood, and sensibility will illuminate these trends even more. As Americans became aware of the French Revolution, writers urged their readership to support it. The line of argument often went as follows:

The friends to the rights of human nature, and particularly every American, must feel interested in the commotions which now agitate the Kingdom of France. The prospect that opened upon that people, of a complete emancipation from a state of abject despotism, impressed the most pleasing sensations upon every philanthropic mind. That they may finally establish a free government, is most devoutly wished.⁵⁶

Writers argued that as friends of human nature, and ostensibly of the enlightenment values of human nature and freedom, Americans must be interested in the French Revolution. Not only are Americans believers in human nature, but they are also friends of it—implying a deep connection and care for it. Additionally, authors invoked feelings of interest, wishes of free government, and pleasing sensations of emancipation—all phrases expressing an authentically personal care for the French cause.

This type of wishing and interest was a typical motif of the federalists at the beginning of the French Revolution. As opposed to acting or urging, the federalists watched with interest and pride as a caring friend.⁵⁷ However, this motif slowly lost popularity within the *Gazette of the United States*, as support for the French Revolution eroded—at least, that is the approach most historians hold. In my view, the federalist shift within their newspaper is only in response to the republican change of heart; therefore, we must first examine the republican shift.

While the federalist newspaper discussed friendship and the French Revolution, the recently founded *General Advertiser* scarcely mentioned it in 1790 and throughout most of 1791. Some mentions spoke of people as “friends of the Revolution” or “friends of mankind,” but seldom did the newspaper discuss deep sentiments between the United States and France.⁵⁸ The lack of sentimental care in these newspapers did not go unnoticed.

On November 24, 1791, the *National Gazette* published a letter which stated,

It has been observed by several foreigners, that, considering the immense benefits which the French Revolution promises to the human race, that grand event has passed in America with less éclat, less sympathy of joy, than could have been reasonably expected from a people, who but seven years before, had almost by dint of mere enthusiastic bravery, emancipated themselves from the chains prepared for them by the parent state.⁵⁹

With similar values and experiences, one would have expected the Americans to be more sympathetic, the author thought. In reality, the federalist press recounted sympathy, but for some reason the republican press had not. The explanation the author gave for the lateness in sympathy is even more telling, remarking that

...characters were not wanting in this country who exerted such abilities as they possessed, in endeavoring to persuade the people that the principles for which they had so recently fought and bled, were nugatory—and the right of enacting laws and governing themselves lay not with the multitude of any nation, but with certain favorites of heaven, certain political magicians...the establishment of a free government in France, has thrown a damp upon the advocates of such doctrines.

In essence, the writer pointed to some people who did not want others in the United States to learn and to advocate for the same solution the French were promoting—namely, “the pure doctrines of Republicanism” and the sovereignty of the people. In a purely partisan and polemical fashion, the author

unjustly and maliciously blamed federalists—who apparently did not want others to find out about republicanism—for the lack of sympathy in the United States. Ironically, the federalists had been the only ones using the language of sympathy so far.⁶⁰ With this malicious attack on federalists though, sympathy was used not as an ideological point of departure, but as a political point of controversy.

Not surprisingly, around the time of this article, the republican usage of sympathy and sentimentalism soared and these articles typically had a federalist jab attached as well. The main source for these sentimental articles was from the coverage of celebration and toasts to the French Revolution and its various anniversaries. With the July 4th celebration in 1792 rained out in Philadelphia, local officials decided to move the celebration ten days later to Bastille Day. Both republican newspapers covered the day extensively and their coverage was filled with references to friendship and sympathy. In the July 7th edition of the *National Gazette*, after hearing that the firework show would be delayed to July 14th, a writer commented that on the anniversary of the French Revolution, “it is expected, there will, in future, be a general rejoicing in every part of the United States, by *all* who are friends to the French Revolution, and consequently *real friends* to the revolution in America.”⁶¹ The two words, “real friends,” packed a sympathetic connection to the French Revolution with a partisan polemic all in one. By celebrating the French Revolution, the republicans thought of themselves both as the friends of the French and as the true protectors of the American Revolution.⁶² Clearly, the unfounded invocation of “real friends” highlights the political jousting that took place between the republican and federalist press. These debates were not the same ideological debates that political elites were having at this time; rather, the partisan press, by couching their rhetoric in true friendship, was engaging in a debate over which political party was truly legitimate.

In 1793, these celebrations further intensified with the visit of Citizen Genêt to the United States. Genêt arrived to sway American opinion toward France, as opposed to neutrality. While hundreds came out to celebrations for him across the country, this did not change President Washington's decision in favor of neutrality. However, aside from the foreign policy outcomes, the result of Genêt's visit could be seen as more significant and impactful in terms of the reaction of the American populace. Genêt's ability to bring scores of people out to celebrations and festivals led historian David Waldstreicher to conclude that Genêt "enabled the people to celebrate themselves and their participation in national politics. It seemed to make ordinary Americans into makers of foreign policy."⁶³ With such popular appeal, both Genêt and the population expressed feelings of brotherhood and friendship between the nation of the United States and the people of France. Genêt wrote in the *General Advertiser*,

I have received abundant proofs on my journey from Charleston to Philadelphia. In every place the general voice of the people convinced me, in a most sensible manner, of their real sentiments, and sincere, and friendly dispositions toward the nation which I have the honour to represent, and for the advancement of that common cause which she alone supports with so much courage...I assure you that the day your brethren in France shall receive it [your sentiments], will be a day of gladness to them.⁶⁴

Saturated with references to sensibility and friendship, Genêt's speeches served as the emotional conduit between the American public and the French people. Several citizens also published their letters to Genêt in the newspaper. One letter from Charles

Biddle stated, "For such feelings, sir, we have been naturally led to contemplate the struggles of France with a paternal eye, sympathizing in all her calamities, and exulting in all her successes."⁶⁵ Biddle claimed that not only was France a brother and friend to the United States, but also that the United States was a paternal figure—caring for France and taking pride in all its successes. Another letter from P.S. Du Ponceau, the Citizen Minister of the French Republic, contained an outpouring of feeling and connection between the French and the Americans. He wrote that when France still had its despotic government, many Frenchmen fled to the United States and were accepted openly. De Ponceau continued, "But in becoming Americans, they have not ceased to be Frenchmen; for no individual can be more intimately connected with either than the two nations are with each other...An union cemented by the blood of the citizens of both nations and founded on so solid a basis as similarity of sentiment and principle."⁶⁶ Again, sentiment was central to the connection between France and the United States.

For republican newspapers, Genêt's visit was not seen primarily as a rally for tangible involvement in French affairs, but as a rally to express affection for the French. "An Old Soldier" wrote, "The bosoms of many hundred freemen beat high with affectionate transport, their souls caught the celestial fire of struggling liberty, and in the enthusiasm of emotion, they communicated their feelings to the worthy and amicable representative of the French nation."⁶⁷ The writer's words display the broad-based excitement Genêt and the French cause brought to the United States. The celebration around Genêt, in summary, was not just a political rally to show support for his cause; rather, it was an outpouring of American emotion, enthusiasm, and brotherhood. Consequently, these rallies had more of an effect on its participants than on the policies for which they attempted to advocate.

However, the purely emotional explanation behind

the Genêt visit obscures one key aspect of this period: the partisan portion of it. While I do not deny that some of the popular display was genuine, the publication of these long-winded articles seems positioned for a different purpose. The article from the “Old Soldier” only dedicates the first paragraph praising Genêt and France, while it spends the rest of the two-page column discussing the federalists and their “royal folly.” Genuine philosophical feelings were not the only, or even the main, reason for publishing the articles related to the French Revolution; rather, political jousting seemed to be the true goal. By denouncing the federalists, this author and other republicans hoped to legitimize their own opposition. As one has seen throughout, rhetoric surrounding friendship rose among republicans when partisanship was at stake. Additionally, not only did rhetoric rise, but it also skyrocketed. The May 22nd issue of the *National Gazette* spoke almost solely about Genêt and did so in a repetitive fashion. This extreme coverage and verbose language describing the French cause indicates a more complex yet fundamental motive.

Once the republicans politicized friendship and searched for the “real friends” of the Revolutions, the federalists were out of options. The republicans had co-opted the 1780s language of sentimentalism for their own partisan agenda.⁶⁸ Broadly, the partisan flip-flop within the realm of sentimentalism hints at something beyond ideology that moved back and forth.

Monarchy

In the practical sense, the many onlookers regarded the issue of monarchy as the most important issue of the French Revolution. From the Storming of the Bastille until the end of 1792, the revolutionaries attempted to salvage the monarchy, albeit curbing its powers through a constitution and a new legislative structure. However, with growing frustration, the revolutionaries abolished the monarchy, executed the King and

Queen, and established a new French Republic.

Watching closely, American newspapers commented extensively on the French monarchy, its merits, and its relation to the United States' past, present, and future. The *Gazette of the United States* between 1789 and 1793 used the words "King" and "France" in the same context 190 times; between 1790 and 1793, the *General Advertiser* used them 224 times, and the *National Gazette* between 1791 and 1793 used them 140 times. In other words, discussions of the King were extremely common. Additionally, as expected, usage increased over the years, as the revolutionaries slowly began to consider terminating the monarchy. For example, during 1791 and 1792, respectively, the *Gazette of the United States* made 40 and 54 mentions of the King, the *National Gazette* 21 and 66 had mentions, and the *General Advertiser* contained 84 mentions during both years.⁶⁹ As the monarchy became more relevant, American newspapers spoke about it more often.

As expected, many historians argue that the federalists favored the monarchy and considered the beheading of the King barbaric, while republicans favored the abolition of a powerful monarchy that perpetuated hierarchy, limited popular liberty, and perpetuated tyranny. Historians such as Wells even point to proof from national newspapers. Wells cites Peter Pindar's poem in the *Gazette of the United States* entitled, "The Captive King" and Freneau's article published under the pseudonym Brutus, "Louis Capet has lost his Caput." Ostensibly, these articles show that "the ideological distance between this growing number of critics and the Revolution's unwavering supporters would be even more pronounced."⁷⁰ However, upon examination, neither of these articles display a sharp ideological divide. "The Captive King" was written as a song that King Louis XVI recited while imprisoned. The song is surely dramatic, with lines like "No more these walls my grief shall hear" and "When sorrow dies, and ruthless Fate can give the parting pang no more!" It also expresses empathy for the King and even states, "Behold,

a brighter crown is thine;” but lacks any deliberate claims that would align it with the supposed federalist position.⁷¹ The song never explicitly supported the monarch or the monarchy, nor did it make any partisan claims. Brutus’ article “Louis Capet has lost his Caput” does not align with the republican position either, as it begins, “From my use of a pun [in the title] it may seem that I think lightly of his fate. I certainly do. It affects me no more than the execution of another malefactor.” However, the article was not meant to be the mainstream republican opinion. By his own admission and admonishment, Brutus ended the article, “Why then such a noise even with republicans about the death of Louis?” Apparently, many people, including republicans, pitied or even opposed the execution of the King. While Brutus cannot comprehend such pity, this article nonetheless goes to disprove the conventional approach with respect to republicans, whose position on the monarchy, even in 1793, was not agreed upon by all.⁷²

In searching for the true positions of federalist and republican newspapers, one discovers two things. First, the supposed federalist support for the King is oversimplified and misunderstood. The federalist newspaper did at first support the King, but later came not only to dislike him, but also to call for the establishment of a French Republic in his place. Second, there was never consensus among republicans on the issue of the monarchy. The *General Advertiser* and *National Gazette* present two different positions on the issue. Consequently, the complex issue of the monarchy as told through the newspapers went beyond the straightforward ideology that was espoused by many of the political leaders of the time.

At the very beginning of the French Revolution, the federalist and republican positions were indistinguishable. On November 21, 1789, the *Gazette of the United States* published a letter from Marquis de Caseaux, which proclaimed, “in very simple terms” that “the people is everything. No legitimate power

can exist but from them and for them.”⁷³ Shockingly to some, this paradigmatic republican statement was a featured topic in a federalist newspaper. However, this line of argument did not call for an immediate abolition of the monarchy, but rather an end to tyranny and despotism. As the *Gazette of the United States* declared, “At all men are tyrants by nature,” and it is up to the people to curb this tyranny.⁷⁴ With statements such as, “Deliver from vestige of feudal tyranny” the *Gazette of the United States* was distinctly opposed to the French tyranny of the past, not to the institutional monarchy itself.⁷⁵

Republicans and federalists alike simultaneously supported King Louis XVI and the French Revolution. Despite the thoughts of some historians, republicans were not always opposed to the monarchy.⁷⁶ For republicans, the form of government was not as significant as the amount of liberty that was provided to the people. On October 4, 1790, the *General Advertiser* wrote, “Louis XVI: thou art the first Monarch in the world who has confirmed in the face of heaven and earth the liberties of thy people, which God and Nature have bestowed upon us all. Beloved Monarch! Worthy of the love of the whole human race, enjoy this day and the reward of thy glory and thy virtue!”⁷⁷ Not only did these proto-republicans tolerate King Louis XVI, but they also adored him and wished him to continue his policies of liberty.

Despite favoring an orderly, strong, and centralized presidency, as exemplified by the popular George Washington, the federalist newspaper also supported the deposition of the King—a break from the traditional understanding of the federalist position.⁷⁸ On November 7, 1792, the *Gazette of the United States* published a piece of French intelligence describing the popular march to the King’s palace in order to arrest him and his family. The march was bloody, as the entire Swiss Guard was murdered. As the author described, “the walls and floors were stained with blood, covered with broken weapons, and

the limbs of men.” However, the scene was a “horror not to be exceeded. Yet even this horror might be endured, by recollecting who had been the inhabitants.” Amidst the chaos, the author recalled, “a strong mixture of harmony, fraternity, sensibility, vengeance, generosity, and barbarity.” Even during the violent turn of the French Revolution, the author published in the federalist newspaper still managed to see the positive qualities of the event. This is explicitly because the author blamed the King for all the violence in France. As the author noted, “By the side of this scene sat Louis XVI, the author of all these lamentable tragedies.” Lastly, the author closed by hoping that the royal palace and surrounding barracks would be used as the future hall for the assembly of Bureaus and the apartments for “the Ministers and President of the Republic.” Even as partisanship roared and violence was in clear sight, the author not only opposed the King—the supposed republican position—but also favored the establishment of a French Republic.⁷⁹ The federalist position, therefore, was not so simple.

Astonishingly, the *National Gazette* also maintained its support for the King through the beginning of 1793. Almost all published toasts in Freneau’s paper were toasts to the King himself and to his health.⁸⁰ However, the *General Advertiser* seemed to turn against the King much more quickly—beginning their criticism in 1791. The toasts Bache published did not toast the King.⁸¹ Additionally, many articles Bache published in 1791 by Brutus severely criticized the monarchy.⁸² While the *General Advertiser* favored Washington in the toasts it covered, calling Washington “the Father of Freemen” and “friend to the rights of man,” this can be seen as a polemic against the French King—the National Assembly and Washington were praised, while King Louis XVI was omitted.⁸³ By 1793, the *General Advertiser* published a toast stating, “May royalty and priest-craft expire together.”⁸⁴ As one observed earlier in the article entitled “Louis Capet has lost his Caput,” republicans were split on the issue

of the monarchy from 1791 through the execution of the King in 1793. The support from the *National Gazette* shows that the republican position regarding the King was also not as simple as the consensus theory makes it out to be.

Overall, the expectations surrounding the positions of these newspapers on the French Revolution were not met in terms of timing, content, or even ideological polarization. When discussing universal liberty, the *Gazette of the United States* departed from the ideologies of its political patrons by supporting and praising the French Revolution for much longer than many historians predicted. Despite rampant violence and the denouncement of the French Revolution by many politicians, including John Adams, the *Gazette of the United States* still praised the French pursuit of universal liberty until October of 1792. This sixteen-month lag is unaccounted for within the conventional approach offered by historians. Additionally, republican writers used the concepts of liberty often to polemicize with their federalist counterparts, hinting at something more complex at hand than just republican expressions of ideology.

When analyzing the usage of friendship and sentimentalism in relation to the French Revolution, ones expectations were also not met, as the conventional approach cannot account for several aspects of the analysis above. First, the newspapers were in much more agreement on this issue than the conventional approach would have one believe. Second, when the newspapers did disagree, the timing of their departure did not line up with the violence and leading political partisanship of 1791. From 1789 through the middle of 1792, the federalist newspaper used these terms of friendship and sentimentalism often to praise the French Revolution, while the republicans seldom used them. In the middle of 1792, one observes a flip, where republican newspapers began using these phrases often to polemicize with federalists, and thus, the *Gazette of the United States* nearly stopped using these words altogether.

The conventional approach fails to explain this odd pattern. Friendship, it seems, was not used by the republican newspapers to express their ideology, but instead to delegitimize the other party while legitimizing its own opposition.

Finally, in terms of the newspapers' opinion on monarchy, the newspapers agreed for much longer than the conventional approach predicted. Indeed, the republican newspapers showed that there was no consensus among Republicans regarding the institution of monarchy. While the *General Advertiser* opposed the King in France as early as 1791, the *National Gazette* supported and even praised the King well into 1793. Additionally, the federalist newspaper even supported the deposition of the King, contrary to what many historians would have expected from a federalist journal commissioned and supported by Hamilton.

In short, the conventional approach cannot account for the complex and nuanced opinions of these newspapers on the French Revolution.

CONCLUSION

“The revolutionary wars of Europe, commencing precisely at the moment when the Government of the United States first went into operation under this Constitution, excited a collision of sentiments and of sympathies which kindled all the passions and embittered the conflict of parties till the nation was involved in war and the Union was shaken to its center.”⁸⁵

— John Quincy Adams

In his 1825 presidential inaugural address, John Quincy Adams made essentially four claims in one sentence. First, the revolutions of Europe—most prominently the French Revolution of 1789—coincided with the ratification of the

American Constitution. Although Adams did not tell the audience why this is significant, it is safe to assume it related to his next claims. Adams then stated that the revolutions in Europe excited American sympathy toward those revolutions, and that those sentiments toward Europe's revolutions led to a partisan divide that caused conflict between those parties. This third assertion likely relates to the significance of the first claim, as only in a federal union under a constitution could the entire nation become divided along partisan lines. Lastly, partisan conflict became so bad that war broke out because of it—shaking the very foundation of the United States.

These four simple claims, comprising a single sentence, may be seen by many as a restatement of the conventional approach on the impact of the French Revolution on the United States. Since the 1790s, politicians and historians alike saw the French Revolution as a partisan divider within the new nation, creating such an ideological rift that the sentiments toward a revolution thousands of miles away caused bitter political divide and culminated in a violent war.⁸⁶ At its heart, the conventional approach claims that political philosophy and ideology are at the center of the American political square. Looking outward, many American citizens and politicians understood the French Revolution through the lens of their own political philosophies—federalist or republican. To be fair, most of the writings of the political elite make this explicit. But the national newspapers paint a more complicated picture—a picture that Adams, if read more closely, seemed to understand thirty years after the fact.

In analyzing the federalist and government-sympathetic *Gazette of the United States* alongside the republican *General Advertiser* and *National Gazette*, the expected reaction of each newspaper to the French Revolution's events was not always observed, especially between 1789 and 1793. Historians who take the conventional approach may have expected to see the republican newspapers tout French sympathies immediately,

while in reality, they only began expressing such sympathies in 1792. They also expected these republican newspapers to oppose monarchy and support the deposition of the King, when in truth the Republicans could not come to agree on this issue, even in 1793. Additionally, the Federalists supported the French Revolution for much longer than expected, championing the pursuit of universal liberty until 1793. Finally, the federalist newspaper itself supported the deposition of the King even after witnessing the bloodshed involved in his execution.

What is clear from this analysis is that the republican and federalist newspapers had their fair share of agreements and disagreements, but ideological differences between the factions were insufficient to explain them. Adams himself admitted that the reaction to the French Revolution was not based on ideology, but instead pervasively expressed in sentiments and sympathies.⁸⁷ Additionally, Adams said that the parties only formed after sentiments over the French Revolution were expressed and not beforehand. Furthermore, historians claimed that party ideology led the different parties to react in the unique way that they did, while Adams and the national newspapers claimed that the French Revolution itself helped form these parties in the first place. This explanation is in disagreement with many other politicians and historians who claimed that the partisan split happened in 1791—only two years after the beginning of the French Revolution. This analysis departs from the conventional approach not by refuting its claims about politicians and their beliefs, but by showing that when looking at other realms of political discourse and controversy—namely, the partisan national newspaper editors—the narrative is much more complicated than assumed by these historians.

The simultaneous shift in the global and American political landscapes allowed American political elites and citizens to use international events to help shape the American trajectory. National newspaper coverage of the time reflected the American

obsession with the French Revolution, but ideological alignment does not suffice to explain this obsession. Rather, the newly formed opposition party, the Republican Party, was faced with an impossible task—maintain the American sense of unity while simultaneously opposing Federalist Party policies and opinions. To uphold unity, republican newspapers often agreed with the federalist government and even denounced faction at almost every opportunity. However, the Republicans had several points of disagreement with the Federalists, including Hamiltonian fiscal policy, Federalist favoritism toward economic elite, and the Federalist proclivity toward monarchy and aristocracy.

In order to express disagreement while still maintaining the perception of unity, the republican newspapers often displaced their factionalism to the French context. Thus, the republican newspapers used their comments on French affairs to polemicize with Federalists and their policies. Primarily, the republican newspapers used the language of friendship and sentimentalism to show that Republicans were the “real friends” of the French and in turn republicanism, while the Federalists upheld the un-American ideals of monarchy and despotism. The republican newspapers knew that the Federalists also used the language of friendship and sentimentalism to refer to the French, but the republican newspapers hoped to show that federalist monarchical policies made these sentiments worthless. Adams’ explanation was thus precise—sympathies and sentiments surrounding the French Revolution did draw the parties apart, specifically allowing the Republicans to oppose and polemicize with the Federalists.

Furthermore, as Adams pointed out, these partisan developments were only possible with the creation of a national government. Accordingly, the newly established centralized government was now in charge of setting policy for the entire nation. This naturally opened up debate, not only within the government itself, but also within the populace. This

phenomenon thereby placed national newspapers at the center of the partisan conflict. These newspapers were commissioned by the government and provided citizens with the information they needed to inform their individual opinions. The newspapers themselves explained their significance: “Many people read newspapers who read little else—they live in retired situations, and feel a strong curiosity to know the news, and join in the opinions of the day.”⁸⁸ With this in mind, newspaper editors had tremendous influence on public opinion and in shaping the partisan landscape of the time. This type of national partisan conflict was only possible, as Adams noted, after the ratification of the Constitution.

President Adams continued his speech, “This time of trial embraced a period of five and twenty years, during which the policy of the Union in its relations with Europe constituted the principal basis of our political divisions and the most arduous part of the action of our Federal Government.”⁸⁹ According to Adams and other historians, European affairs, namely the conflict between Great Britain and France, served as the key issue of partisan conflict from 1789 until the end of the Napoleonic Wars in 1815. This essay calls that claim into question. The above argument shows that the partisan divisions of 1789 through 1793 were not equivalent to the partisan divisions of 1793 and onward. After 1793, the newspapers indeed divided themselves based on their views regarding geopolitics, but from the very beginning of the nation, the newspapers often used European affairs as a vehicle for partisan displacement, not as the source of ideological quarrel.

This narrative also serves as a case study on both the rise of partisan politics in new republics, as well as the gap between political elites and the public. Partisanship in Early America was not welcomed by the newspapers, but rather discouraged and stigmatized. In turn, a two-party system was not established from the outset; instead, there was one party—the governing

party. Despite what Federalist No. 10 stated and despite being founded for partisan reasons, the national newspapers fought against the existence of factionalism. While politicians such as Thomas Jefferson and James Madison explicitly broke on ideological ground with Alexander Hamilton and John Adams, republican newspaper editors attempted to uphold a more balanced approach of unity and displaced partisanship. In order to maintain a perception of unification and to follow, to some extent, the journalistic imperative of impartiality, these editors opposed faction. The positions of the newspapers eventually came into line with the opinions of the political elites, but only when factionalism became more solidified and accepted within American political culture. In light of what Adams discussed in his presidential inaugural address, the geopolitical issue of the upcoming decades did become the central partisan divider for both the elites and the public alike, but it took four years for this to emerge.

The emergence of partisanship during the first four years after the signing of the Constitution was not revolutionary, but evolutionary: it did not happen immediately, but rather became publicly more pronounced and accepted over time. In a new republic, opposition does not arise in full strength all at once. Only through evolutionary opposition can dissenting newspapers pronounce their disagreement while simultaneously maintaining a perception of good intentions. As seen in the American context, those who favor the governing politicians will strongly resist any oppositional move. The federalist newspaper clearly understood the republican newspapers' plan for displacement and accused them of being enemies of the republic. Striking the balance between opposition and unity may be extremely difficult, but it is an imperative step on the road to full-fledged partisanship and oppositional legitimization. As Adams noted in his presidential inaugural address, partisanship became an integral part of American politics, but it did not start that way.

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¹ *General Advertiser*, December 1, 1791 [henceforth referred to as *GA*].

² Quoted in Eric Burns, *Infamous Scribblers: The Founding Father and the Rowdy Beginnings of American Journalism* (New York: 2006), 267.

³ James Tagg, *Benjamin Franklin Bache and the Philadelphia Aurora*, (Philadelphia: 1991), Chapter 7.

⁴ Burns, *Infamous Scribblers*, Chapter 16. Also see Jeffrey Pasley, *The Tyranny of Printers: Newspaper Politics in the Early American Republic* (Charlottesville: 2002), 66-73.

⁵ Burns, *Infamous Scribblers*, 268.

⁶ Pasley, *The Tyranny of the Printers*, 66.

⁷ Burns, *Infamous Scribblers*, 282.

⁸ Pasley, *The Tyranny of Printers*, 83-87.

⁹ Tagg, *Benjamin Franklin Bache and the Philadelphia Aurora*, 236-241.

¹⁰ Burns, *Infamous Scribblers*, 272; *Gazette of the United States*, September 8, 1792 [henceforth referred to as *GOU.S*].

¹¹ David Waldstreicher, *In the Midst of Perpetual Fetes: The Making of American Nationalism, 1776-1820* (Chapel Hill: 1997) and Simon Newman, *Parades and the Politics of the Street: Festive Culture in the Early American Republic* (Philadelphia: 1997), Chapter 4.

¹² Matthew Rainbow Hale, "Neither Britons Nor French: The French Revolution and American National Identity" (PhD Dissertation, Brandeis University: 2002) and Colin Wells, *The Poetry Wars: Verse, Politics, and Public Discourse* (Philadelphia: forthcoming), Chapter 4.

¹³ While the main focus of this paper is on newspapers, it should be noted that American newspapers are not the only proof of the American infatuation with the French. Simon Newman notes in his book *Parades and Politics of the Street* (Chapter 4) that citizens, particularly Republicans, held hundreds of public celebrations and feasts all over the country from 1790 through the end of the eighteenth century.

¹⁴ More precisely, the *NG* used the words 5.6, 6.47, and 1.02 times per issue. The *GA* used the words 3.03, 5.3, and 0.45 times per issue. Finally, the *GOU.S* used these terms 3.28, 3.42, and 0.65 times per issue. The *NG* is clearly the most fixated on the issue of the French.

¹⁵ Comparing these numbers to other topics can also assist in understanding the French Revolution's prominence relative to other key issues. For example, the words "debt" and "bank" (since centralized fiscal policy was a key issue during this time) were not nearly as popular as the French Revolution. "Debt" appears 1,056 times in the *GOU.S*, 373 times in *NG*, and 731 times in *GA*. "Bank" appears 958 times in the *GOU.S*, 1,995 times in the *GA*, and 346 times in the *NG*.

¹⁶ I argue that public partisan divide occurred in 1791 with the founding of a

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competing national newspaper. However, for the sake of consistency, I will always refer to the *GOU*S as federalist (or supporters of the government) and the *NG* and *GA* as republican. As shown in chapter one, while this nomenclature is not entirely consistent with what they were called during the early portion of this period, it is consistent with their broader self-ascribed ideologies.

¹⁷ When I write “ideology,” I mean the series of philosophical beliefs that would inform one’s opinion on contemporary affairs. The conventional approach assumes that the republican ideology led political actors to support the French Revolution and the federalist ideology to oppose it over time. I hope to challenge this assumed relationship between political ideology and political opinion within the three newspapers. Consequently, this analysis will break with many who claim that the parties at this time were only ideological in nature. I argue that the newspaper editors had something different in mind.

¹⁸ Some may accuse this argument of being a straw man. Indeed, most scholars do deliver more insightful analysis on the topic, but many of these assume the basic theory presented as a basis for their claims. For example, see Simon Newman and David Waldstreicher, who posit arguments about the political and social implications of celebration coverage, but always assume a clear ideological partisan divide between Federalists and Republicans. David Waldstreicher, *In the Midst of Perpetual Fetes: The Making of American Nationalism, 1776-1820* (Chapel Hill: 1997), Chapter 3. Simon Newman, *Parades and Politics of the Street*, Chapter 4. Also see Matthew Rainbow Hale, “Neither Britons Nor French”; Donald H. Stewart, *The Opposition Press of the Federalist Period*, (Albany: 2002); James Tagg, *Benjamin Franklin Bache and the Philadelphia Aurora*. Hale writes more strongly that the French Revolution was itself the cause for the formation of party ideology: “The French Revolution was now more than a moderate spur to and indicator of partisan loyalties; it was very nearly their *raison de etre*.” (p. 52) Please also note that throughout the paper, I refer to the French Revolution monolithically. Though I realize historians argue that the French Revolution was not monolithic, the American newspapers assume that it was and so in analyzing the newspapers, I follow their understanding.

¹⁹ While there is not much of a “low politics” at this point, there were several individuals who were politically active and yet, were not considered politically elite (i.e. the newspaper editors).

²⁰ See methodology section for more details. This search is called a proximity search, searching for the words “France” and “Liberty” within a thirty-word proximity or less. Although the republican papers use the term twice as often in 1793 than the *GOU*S, the upward trend of the federalist press proves the point nonetheless.

²¹ *GOU*S, July 29, 1789.

²² Additionally, see the *GOU*S, October 17, 1789 with lines such as, “bless-

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ings of American freedom seem already to spread its influence far and wide; doubtless its national character will be held in high estimation by all succeeding ages, and its name revered by generations yet unborn.” Similar sentiments are also found in *GOUS*, August 29, 1789; October 17, 1789; November 18, 1789.

²³ *GOUS*, January 2, 1790.

²⁴ *GA*, October 4, 1790.

²⁵ *GA*, October 5, 1790. The comparison of liberty to a plant is also extremely appropriate in the French context since the planting of liberty trees by French Revolutionaries and Americans who celebrated their accomplishments was widespread. This allusion hints at the fact that Americans planted the first liberty tree with the American Revolution and the French have assumed their efforts.

²⁶ *GA*, October 5, 1790.

²⁷ Similarly, the *GOUS* included its own toasts and account of American fanfare surrounding the French Revolution. For example, the *GOUS* spent three whole columns describing the celebrations in Charleston, South Carolina on May 3rd, 5th, and 6th of 1791. Visiting Charleston, President Washington attended a celebratory dinner toasting to “The United States, The Fourth of July, Lewis the XVI King of France, The National Assembly of France” and others. Other articles included similar toasts to “The sufferers in the cause of freedom, The Marquis de la Fayette, liberty’s viceroys...[and] the family of mankind.” *GOUS*, May 21, 1791.

²⁸ *GOUS*, July 6, 1791.

²⁹ *GOUS*, November 30, 1791.

³⁰ Jefferson remarked in his letter to Washington that he established a new newspaper to provide a “juster view of the affairs of Europe than could be obtained from any other public source.” Jefferson to George Washington, September 9, 1792.

³¹ *GOUS*, June 25, 1791.

³² *GOUS*, April 28, 1792.

³³ *GOUS*, July 18, 1792.

³⁴ *GOUS*, May 26, 1792.

³⁵ Tagg, *Benjamin Franklin Bache and the Philadelphia Aurora*, 289 n.1.

³⁶ Freneau himself was enthralled with the topic of the French Revolution and universal liberty even before he began the *National Gazette*. In 1790, he published a poem called, “On the Prospect of a Revolution in France.” He wrote, “From that bright spark which first illum’d [sic] these lands, See Europe kindling, as the blaze expands, Each gloomy tyrant, sworn to chain the mind, Presumes no more to trample on mankind.” Freneau does praise King Louis XVI too, calling the King, “the generous Prince who made our

cause his own.” In May of 1791, Freneau published another poem called, “Lines Occasioned by Reading Mr. Paine’s Rights of Man,” which praised Paine and American republicanism, remarking, “In raising up mankind, he pulls down kings...So shall our nation, formed on Virtue’s plan, Remain the guardian of the Rights of Man.”

³⁷ *NG*, December 12, 1791.

³⁸ *GOUS*, October 3, 1792.

³⁹ Notably, in 1793, none of the newspapers give much attention to the Reign of Terror as a new and broad phenomenon. The *GOUS*, *GA*, and *NG* mentioned “Reign” and “Terror” in the same article 2, 3, and 5 times, respectively. Ironically, the republican newspapers recognized systemic violence the most often, while the federalist newspaper least often.

⁴⁰ *GOUS*, November 3, 1792.

⁴¹ *GOUS*, November 7, 1792.

⁴² *GA*, July 7, 1792 and August 1, 1794.

⁴³ *GA*, January 2, 1793.

⁴⁴ *GA*, February 7, 1793; August 13, 14, 19, 24 1793.

⁴⁵ *NG*, August 24, 1793.

⁴⁶ *NG*, July 15, 1793.

⁴⁷ *NG*, May 18, 1793.

⁴⁸ On May 8, 1795, the *NG* stated, “if the combined despots of Europe succeeded in destroying French liberty, there would be nothing to prevent Great Britain from renewing her claims to this country.” However, this was already in the throws of the French-British conflict. It is hard to say that Americans expected this in 1793.

⁴⁹ Furthermore, these terms are used interchangeably by newspapers throughout the period, so for the purposes of the study, I will assume that they are all similar.

⁵⁰ Colin Wells, *The Poetry Wars of the early Republic: Verse, Politics, and Public Discourse* (Philadelphia: forthcoming), 197. Wells further shows the source of sensibility: “This overlap would arise in large part from a common eighteenth-century origin: the moral philosophy of Pelagianism, as popularized in the early part of the century by Anthony Ashley Cooper, Third Earl of Shaftesbury. In Shaftesbury’s famous account, human nature is not only morally benign but naturally sociable, controlled by a powerful sense of sympathy for one’s fellow humans.”

⁵¹ See Sarah Knott, *Sensibility and the American Revolution* (Chapel Hill: 2009); David Waldstreicher’s *In the Midst of Perpetual Fetes*, Chapter 3; Caleb Crain, *Sympathy in America: Men, Friendship and Literature in the New Nation* (New Haven: 2001).

⁵² *GOUS*, October 27, 1789.

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⁵³ Wells, *The Poetry Wars of the early Republic*, 197.

⁵⁴ *GOUS*, September 26, 1789.

⁵⁵ See the methodology section for more. This proximity search looked at the words “friend” and “France” within 100 words of each other. The search for this study is 100 words apart, since articles about friendship are naturally much longer than articles about liberty. Furthermore, the consistency across newspapers allows for the necessary comparison between newspapers on this specific topic.

⁵⁶ *GOUS*, November 28, 1789.

⁵⁷ For similar examples see *GOUS*, August 29, 1789; October 5, 1790. The Federalists, who supposedly favor hierarchy and centralized authority, even describe Washington as a “brother, father, chief and friend.” *GOUS*, January 3, 1790.

⁵⁸ In general, the *GA* used the concepts of friendship and sentimentalism just as often as the *GOUS*. However, its specific application to the French is the exception. See the brief mentions at *GA*, October 21, 1790; January 28, 1791; February 1, 1791; July 5, 1791; August 17, 1791.

⁵⁹ *NG*, November 24, 1791.

⁶⁰ *NG*, November 21, 1791.

⁶¹ *NG*, July 7, 1792. Also see, July 18, 28 and August 1, 1792, February 12, May 1, 1793 for extensive coverage of this celebration and others. The celebration was also covered in the *GA*. Toasts and celebrations are described in full on July 4, 19, 21, 23, August 1, 1792. Also see David Waldstreicher, *In the Midst of Perpetual Fêtes*, Chapter 4.

⁶² *Ibid.*

⁶³ Waldstreicher, *In the Midst of Perpetual Fêtes*, 133.

⁶⁴ *GA*, May 20, 1793. See *NG*, May 18, 1793 and *GA*, May 17, 1793 for more on the Genêt celebrations.

⁶⁵ *NG*, May 22, 1793.

⁶⁶ *GA*, May 18, 1793.

⁶⁷ *NG*, May 22, 1793.

⁶⁸ See *GOUS*, October 31, 1792. The *GOUS* nearly stated this explicitly. Chapter three will explore this in greater detail.

⁶⁹ See the Methodology section for more details. Here, proximity search was again used—determining how many times the words “France” and “King” were used within 30 words of each other.

⁷⁰ Wells, *The Poetry Wars*, 206.

⁷¹ *GOUS*, May 18, 1793.

⁷² *NG*, April 20, 1793.

⁷³ *GOUS*, November 21, 1789.

⁷⁴ *GOUS*, October 24, 1789. Also see *GOUS*, October 3, 1789 in discussion

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of curbing men's extremes to prevent oppression and tyranny from the monarch.

⁷⁵ *GOUS*, October 10, 1789.

⁷⁶ Elkins and McKittrick, *The Age of Federalism*, 238-241.

⁷⁷ *GA*, October 4, 1790.

⁷⁸ See *GOUS* October 31, November 4, November 11, December 2 1789; April 28, 1792 for the federalist fondness for Washington. Many of these articles called for the whole world to learn from Washington's example. These positions do not need to be in contradiction with the deposition of the King of France, since the establishment of a Washington-style leadership may necessitate a removal of monarchy. However, historians have traditionally understood that the Federalists were in favor of maintaining a checked monarchy. See Eric Nelson, *The Royalist Revolution: Monarchy and the American Founding* (Boston: 2014).

⁷⁹ *GOUS*, November 7, 1792.

⁸⁰ *NG*, July 18 and August 1, 1793.

⁸¹ *GA*, October 5, 1790; May 19, 1792; January 1, May 18, 1793.

⁸² *GA*, July 1, 2, 7, 1791. These were in the midst of the Publicola debates.

⁸³ *GA*, July 19, 1792; January 2, 1793.

⁸⁴ *GA*, January 2, 1793.

⁸⁵ John Quincy Adams, *Inaugural Address*, March 4, 1825.

⁸⁶ Adams was likely referring to the War of 1812.

⁸⁷ Adams was likely referring to the emotion expressed in articles, toasts, and celebrations surrounding the French Revolution. This expression of emotion is inherently different than ideology and philosophy.

⁸⁸ *GA*, December 1, 1791.

⁸⁹ John Quincy Adams, *Inaugural Address*, March 4, 1825.

Images:

Page 95: "Gazette of the United States," picture, 9 September 1789, John Fenno, via Wikimedia Commons, https://upload.wikimedia.org/wikipedia/commons/4/43/Gazette_of_the_United_States.gif (accessed May 4, 2016).

Page 98: "Benjamin Franklin Bache," portrait, circa 1798, via Wikimedia Commons, https://upload.wikimedia.org/wikipedia/commons/8/88/Benjamin_Franklin_Bache.jpg (accessed May 4, 2016).

Page 116: "Philip freneau," engraving, 1901, Frederick Halpin, via Wikimedia Commons, https://upload.wikimedia.org/wikipedia/commons/1/14/Philip_freneau.jpg/818px-Philip_freneau.jpg (accessed May 4, 2016).

The Fallacy of the Ideological Press

Page 121: “Usage of the Term “Brother” in All Three Newspapers,” graph, created by Aaron R. Senior.

“THE EVIL OF THE AGE”:
THE INFLUENCE OF *THE NEW YORK TIMES* ON
ANTI-ABORTION LEGISLATION IN NEW YORK,
1865-1873
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INTRODUCTION

But could even a portion of the facts that have been detected in frightful profusion, by the agents of the TIMES, be revealed in print, in their hideous truth, the reader would shrink from the appalling picture.

– August St. Clair, Excerpt from “The Evil of the Age” in *The New York Times* (August 23, 1871)

When Augustus St. Clair elected to make a second visit to the Fifth Avenue private home of Dr. Jacob Rosenzweig in July of 1871, he could scarcely have expected his life to be in great danger. Much to his own astonishment, however, he soon found himself pointing a revolver at Dr. Rosenzweig before making a quick exit into the street. “I felt there was but one thing to do,” he later wrote, describing the circumstances which led Dr. Rosenzweig to grow suspicious of his guest and prevent St. Clair from leaving his home, “either to be conquered or to conquer, and leave the house I must or else suffer violence at his hands.” St. Clair was a newspaper reporter for *The New York Times* (NYT), and his assignment that summer compelled him to go undercover in order to investigate the lucrative underground world of abortion.¹ In 1871, as many as two hundred abortionists

were thriving in a city that boasted fewer than one million residents.² Dr. Rosenzweig was one such figure, and St. Clair had seen his covert advertisements in local papers. In the process of making his hasty exit from the doctor's home, St. Clair happened to spot a young lady standing on the stairs. Only days later, he would see that same woman again at the morgue, dead from a botched abortion procedure. In a NYT article entitled, "Something More Concerning Ascher's Business," St. Clair wrote, "I positively identify the features of the dead woman as those of the blond beauty before described and will testify to the fact, if called upon to do so, before a legal tribunal."³ In making this firm association, St. Clair provided a highly public and damning indictment against Dr. Rosenzweig and against the widespread practice of abortion, one that also established the NYT as a public and widespread proponent of moral virtue and righteousness in the period to come. This story represented but one of many sensational examples of abortion-related press coverage from the end of the American Civil War onward, and these stories were emblematic of the changing attitudes toward abortion during this era.

CHANGING ATTITUDES, CHANGING LAWS

In the nineteenth century, the legal attitude toward abortion underwent a series of gradual changes at the state level. This rising intolerance to abortion was evidenced by the criminalization of abortion in all states by 1910.⁴ New York stood as a particularly compelling example of these mounting changes, for New York lawmakers quickly altered the state abortion law in three distinct sessions between 1869 and 1874.⁵ These adjustments are noteworthy, because they represent a surge of exceedingly strict anti-abortion legislation following a period of legislative inactivity on the matter. In fact, the only

previous abortion law in the New York criminal code went into effect in 1830. This law deemed the termination of a late-term fetus to be second-degree manslaughter. It also imposed criminal liability upon the abortionist and not on the pregnant woman seeking the procedure.⁶

With this historical context in mind, the changes made from 1869 to 1874 are significant, because they altered the legal recognition of abortion. Prior to the passage of the 1869 law, New York—like other states—approached the issue of abortion with the quickening doctrine in mind. This doctrine stipulated that a pregnancy could only be verifiably recognized as a pregnancy after ‘quickening’—the moment in which a pregnant woman first perceives fetal movement, which usually occurs at the midpoint of gestation.⁷ In *Commonwealth v. Bangs* (1812), the Massachusetts Supreme Court established the widespread precedent of disregarding abortion cases in which quickening could not be established.⁸ The law in many states was unable to truly recognize the existence of a fetus in criminal cases before it had quickened in the womb.⁹ This doctrine provided a wide degree of legal tolerance for the practice of early pre-quickening abortion in most states. The 1869 New York law, however, abolished any consideration of the quickening doctrine and thereby made abortion a criminal offense irrespective of gestation period. Not only did this law remove the stipulation of quickening as a legitimate indicator of pregnancy, but it also removed the consideration of pregnancy altogether. The administration of abortifacients with the intent to induce miscarriage was deemed a criminal offense “whether [the woman] be or be not pregnant.”¹⁰ In other words, state law no longer regarded a woman’s pregnancy status as a crucial component of its anti-abortion statutes, thus mitigating the need to refer to a pregnant woman’s judgment in considering whether a pregnancy was sufficiently advanced to warrant prosecution in cases of abortion. This naturally lowered the burden of proof on prosecutors as well, making it much

simpler to convict abortionists. The 1872 law, in continuation of the increasingly strict trend, made abortion a felony for any woman who attempted it, successfully or not, upon herself or who voluntarily sought an abortion from a practitioner, bucking the established practice that focused legal ire on abortionists rather than on pregnant women.¹¹ Finally, the 1874 law allowed the dying testimony of a woman to be used as admissible evidence in abortion trials, once again making it easier to convict abortionists.¹² That such momentous changes—the utter elimination of the quickening doctrine, the criminalization of abortion for pregnant women, and an overarching turn toward stricter legislation against abortion—would occur in such a short period of time, between 1869 and 1874, is naturally the source of much curiosity.

Historians have previously sought to explain the timing by linking the surge in anti-abortion legislation to the intense lobbying activities of the nascent American Medical Association (AMA). Historian James Mohr has demonstrated that the AMA, guided by Horatio Storer in the middle of the nineteenth century, systematically worked to influence popular opinion against abortion and also influence related legislation.¹³ Historian Janet Farrell Brodie has noted that the efforts of AMA physicians were largely predicated on their desire to “drive out irregulars and sectarians,” attract public respect for their profession, and present themselves as promoters of virtue and arbiters of morality.¹⁴ Dr. Hugh L. Hodge of the University of Pennsylvania, for instance, outlined the prototypical views of his profession in a lecture before an obstetrics course in 1869. “It seems hardly necessary to repeat,” he said, “that physicians, medical men, must be regarded as the guardians of the rights of infants. They alone can rectify public opinion; they alone can present the subject in such a manner that legislators can exercise their powers aright in the preparation of suitable laws.”¹⁵ Dr. Hodge clearly viewed himself and his medical colleagues as protectors of virtue and as

important influences on legislative decisions.

Scholars have pointed out that the efforts of the AMA and its constituent physicians were largely motivated by a desire to establish themselves as professionals rather than as ‘quacks.’ Quackery was an especially damaging charge in the first half of the nineteenth century, when many doctors graduated from unregulated medical schools and formed a considerable population that challenged the so-called establishment physicians, who studied at respectable schools.¹⁶ Consequently, the efforts of the establishment doctors to restrict abortion may be interpreted as part of a larger movement to push irregular physicians—including abortionists, many of whom were midwives—out of the way in order to grant increased authority in medical matters to the regular physicians. Although these arguments regarding the physician’s crusade against abortion explain the motivations of a very prominent group of anti-abortionists, they do not adequately explore the motivations of another group: the legislators. This group is of crucial interest precisely because it consists of those individuals who made the decision to legally restrict abortion. These lawmakers were no doubt influenced by the various medical pamphlets that abounded in the Postbellum Period, many of which singled out abortion as a vicious and unconscionable crime.¹⁷ But legislators, like most other citizens, consumed a great variety of popular literature during this period, and newspapers may be counted as one of the most prominent literary features of the era. I argue that the newspaper coverage of the NYT—including such extraordinary pieces as Augustus St. Clair’s “The Evil of the Age” (“EoA”)—was highly influential in altering legal sentiment toward abortion in a process that culminated in the increasingly harsh criminalization of the practice. This new legal sentiment was the gradual consequence of journalistic practices that sought to raise the profile and the authority of the NYT, while simultaneously preying on popular fears about the safety of women and the supposed deterioration

THE EVIL OF THE AGE.

**Slaughter of the Innocents—Open Trade
in Crime—Where Vice is Nurtured—
The Moral and Physical Nature Both
Destroyed—Scenes Described by Eye-
Witnesses.**

The enormous amount of medical malpractice that exists and flourishes, almost unchecked, in the City of New-York, is a theme for most serious consideration. Thousands of human beings are thus murdered before they have seen the light of this world, and thousands upon thousands more of adults are irremediably ruined in constitution, health and happiness.

"The Evil of the Age," penned by Augustus St. Clair, sensationalized the abortion issue and set off a new wave of stylistically dramatic news coverage

of the United State's white, Protestant population.

GENERAL SENTIMENT AND LEGAL SENTIMENT

It is important to distinguish the the attitudes of the public at large from the attitude of the lawmakers. *General sentiment* refers to the opinions of the wider public. Accordingly, the general sentiment toward abortion should represent the prevailing attitudes of all Americans, given a particular period and time. The use of general sentiment, however, is flawed because it is far too broad. Women, for instance, will likely have a much different outlook on the abortion issue than men, and different subgroups of women—the unmarried, the poor, women of color, immigrant women, and so on—will also harbor different views. The recognition of these important demographic differences fails to remedy the scarcity of sources available to historians. Where evidence may be found, it skews in favor of the elite strata of society—those who are white, literate, and

male—and thus prevents us from making accurate observations about other groups.

Legal sentiment, which is the attitude displayed by lawmakers, is infinitely easier to gauge because it can be analyzed through codified statutes; one can witness the evolution of legal sentiment and see a change in the approach and stance of lawmakers to pressing social issues. This evolution is clearly evident in the case of New York, where one sees a series of major changes to existing anti-abortion laws within a span of six years. An illustration of the importance of this distinction between general and legal sentiment arises when considering the quickening doctrine. Mohr asserts repeatedly that the United States public was exceedingly tolerant of abortion in the earlier decades of the nineteenth century, in the absence of later developments such as the lobbying efforts of the AMA.¹⁸ In Mohr's view, pregnant women who had not experienced quickening "believed themselves to be carrying inert non-beings...a potential for life rather than life itself."¹⁹ Other scholars have challenged this view. Author Marvin Olasky insists on the popular acceptance of the preformation doctrine, which held that humans were preformed and alive even prior to conception, existing in some inactive form either in the mother's egg or in the father's sperm.²⁰ In a similar vein, historian Anthony Joseph complicates the widespread assumption of tolerance by noting the various interpretations given by English legalists to the viability of the fetus.²¹ According to Joseph, recent scholarship shows that the early nineteenth century understanding of the permissibility of feticide relied not on actual cases, which were unknown until recent decades, but on the interpretations of legal scholars who offered their own rules for measuring the validity of life. None of these various interpretations resemble the quickening doctrine as Mohr understands it.²² Instead, they suggest that the idea of quickening was not as universal or as widespread among all nineteenth century Americans as scholars once believed. Mohr's

assertion that quickening played a crucial role in a woman's own understanding of fetal vitality holds for only some cases. In light of Joseph's evidence, Mohr's assertion about *general* sentiment is problematic because it uses *legal* evidence—the absence of legislation as a marker of widespread tolerance—even though this absence really only tells one about legal sentiment.

As such, it seems that the quickening doctrine was simply a highly practical legal method of verifying the existence of a pregnancy, especially during a time when the absence of medical technology could not verify pregnancy in any other manner. This means that the early legal sentiment towards abortion was tolerant based on the legal evidence available, which provides no basis on which to make claims about the general opinions of the wider public. Legal sentiment is governed by a set of principles hinging on practicality and provability. Individual lawmakers, like other Americans, may have considered the beginning of life to occur well before quickening, even before the established physicians encouraged that sort of thinking. Nevertheless, lawmakers maintained the importance of the quickening doctrine for its practicality. In the absence of more sophisticated medical technology, the physical fact of a pregnancy could only be legally established through the practical testimony of a pregnant woman who had experienced quickening.

This practicality would soon outgrow its usefulness in New York. Since one can trace the legal sentiment of the state's legislature through the language of the law, one is able to link the three major legal changes made between 1869 and 1874 to the wider coverage of popular print media on the nature of abortion. My analysis of the NYT will span the decade immediately following the American Civil War, from 1865 to 1874, and will involve curated insights from the examination of over three hundred articles, some investigative, some opinionative, and all concerning abortion. This analysis will be chronological and separated into two sections, one covering the period between

1865 and mid-1871, and the other covering the period from late 1871 to 1874. This chronological bifurcation serves to highlight several important differences between the earlier articles and those published after “EoA,” the famed mid-1871 article that sensationalized the abortion issue in New York.

SENSATIONALISM AND THE FIRST WAVE (1865-1871)

The first period of abortion-related press coverage in the NYT was sensational chiefly in subject, whereas the second period following the publication of “EoA” was sensational both in subject and in style. Sensational writing is engineered to provoke a “startling impression.”²³ Contrary to its connotation and to popular applications of the word, sensationalism is neither fundamentally harmful nor beneficial. In its most basic form, sensationalism merely draws a reader’s attention and supplies him or her with absorbing facts and details. The presence of sensationalism hinges on two features: subject and style. On one hand, there exist, in each particular time and place, various subjects that are naturally sensational, such as violent crime, supernatural phenomena, and political scandal. These stories do not require the assistance of highly imaginative or descriptive prose in order to excite excessive interest in readers; people are naturally attracted to such topics. Style, on the other hand, relates to the presentation of the material—the intensity of the diction and the presence of figurative language. A story about President Grover Cleveland’s alleged illegitimate child is a sensational subject, but only the writing of the story or the manner of its placement in the newspaper would make the story stylistically sensational. To put it succinctly, sensationalism consists of two constituent elements, subject and style, and news stories may feature one or both components.

The first wave of these abortion stories in the NYT began in October of 1865, just a few months after the end of

the American Civil War. A measly four paragraphs—the last one no longer than a sentence—appeared at the bottom of a column under the headline, “THE WOLFER MURDER” in the October 21st issue of that year. The story about the alleged murder of Emma Wolfer by Dr. Charles Cobell via abortion almost appeared as an afterthought, relegated to the very bottom of the page and headlined with smaller print than the surrounding articles. Indeed, the paragraphs did not detail much in the way of a story at all. Rather, the author presented a very brief excerpt of a courtroom narrative, providing summaries of the courtly segments he witnessed—the testimony of Jacob Wolfer, brother to the deceased, and his cross-examination by the defense attorney—followed by an addendum noting that the case will be continued the following week. The summaries were not overly-embellished and featured the sort of brevity one would expect from hasty telegram announcements: “His sister was never married to his knowledge; went to the place because he was told she was there dying; she was vomiting when the medicine was sent for; would not have known of her condition if he had not been told.” The repeated omission of the subject from every other clause betrayed an underlying urge to paraphrase and to narrate rather than to elaborate and to embroider. The actors of the narrative were overshadowed by the events and the characters were displaced by the consequences. At no point did the author insert himself into the narrative in order to personalize the stakes, as one saw in the case of St. Clair. Nor did the author take pains to describe the witness on the stand. The only sensational aspect of the article was the subject matter, which itself was noted only by the premature mention of the word ‘murder’ in the headline and the mention of “death...by procurement of abortion” in the first sentence.²⁴ This snippet from the first sentence was emphatically sensational in subject, though in style it sounds awfully formal, emulating the legalese of courtroom attorneys. The trend continued in a later article in

which the author summarized the testimony of another witness: "...witness went into the room, when the doctor said he had delivered deceased of a fetus."²⁵ The terminology here, once again, is formal to the point of being practically clinical. The author made no effort to underline the tragedy of the woman's death or the demise of her child; instead, he referred to the former as the "deceased" and the latter as a "fetus," employing words that deprive the two of vitality and personhood.

The coverage of the Dr. Cobell abortion case illustrated a few defining trends in the first wave of sensational newspaper coverage. The first and most important trend was the nature of the sensationalism, which was epitomized principally through subject matter and not through any elaborate literary stratagem. In other words, the abortion articles were sensational because they were about abortion. This is manifested in another article from the summer of 1867 noting the arrest of a Massachusetts doctor accused of murdering a woman by means of abortion. The author of the piece provided the necessary details without adornment, mentioning that the "victim was unmarried, 18 years old, and [had] a father living in the city."²⁶ Despite the deceased woman's apparent youth and unmarried status at the time of death, the author offered no additional stylistic ornaments to sensationalize the story. Indeed, in many cases—including that of the Dr. Cobell case—the crime itself appeared to be of less interest than the proceedings of the court. This may be taken to an extreme, as evident in the Strong divorce case that dominated a great expanse of space in the pages of the NYT from late November of 1865 to early January of the following year. The headlines of the Strong case certainly signposted the scandalous nature of the court's proceedings. The NYT showcased the most exceptional articles—particularly those that were part of a series, as was the case in many ongoing trials—with multi-tiered headlines. Thirteen of the fourteen Strong articles featured these terraced titles, with sensational subtitles such as, "Remarkable

Charges of Murder, Bribery, Perjury and Corruption.”²⁷ The references to abortion in this chain of stories, however, were scarce, and the vast majority of the coverage consisted of summaries of the speeches and the testimonies given in court. Yet again, the editorial needs of the NYT at the time favored the use of summary rather than the presentation of an engaging story. This was perhaps a legacy of the American Civil War, during which the accurate and timely conveyance of highly desirable information was among the chief duties of the daily newspapers.²⁸ The Strong case nevertheless affirmed the existence of sensational subjects in the NYT during the early Postbellum Period and revealed the tendency of these authors to supply dry summary in lieu of imaginative storytelling.

The last two defining trends emblemized by the first wave articles were closely related. One was the total anonymity of the author, whose name was not supplied to readers in a byline, contrary to popular journalistic practice today. Ford Risley, a professor of communications at Pennsylvania State University, remarks that although the use of bylines was not unheard of even as far back as the 1830s, it most certainly was not widespread during the Postbellum Period, after which it gradually came into popular usage.²⁹ Consequently, the author was a veritable nonentity and the authorship of individual articles was instead relegated to the impersonal, faceless authority of the newspaper publication itself. The first wave articles exacerbated this trend even more, since their authors did not insert themselves into the narrative. The authors related the action without doing any of the acting—an effect that certainly seems credible and respectable from a modern perspective, but one that also necessarily diminishes the sensational elements of the stories by removing personal stakes from the narrative. In the Lattin case of 1868, for example, the NYT’s coverage consisted chiefly of a summary of the inquest presented as a sort of rapid-fire dialogue with questions asked to and answered by a doctor

involved in an abortion case: “Q—Did she at any time ask you to treat her for an abortion? A—No, quite the reverse, because she desired to have the child in order to make Houghton marry her.”³⁰ This style of journalism, in addition to summarizing the disclosures of the inquest in question, narrowed the focus uncompromisingly on the subject for a long stretch of time without distracting the reader with the intrusion of ancillary characters. Without the author serving as a sort of protagonist in the story, as St. Clair did in his encounter with Dr. Rosenzweig, readers have no surrogate with whom they can empathize and thus the news stories appeared less like sensational works, with all the literary trappings of compelling fiction, and more like abridged, digestible chunks of information—more like reading a dialogue than watching a play.

Finally, the lack of a centrally featured, empathetic author also thwarted the publication’s ability to adopt a ‘crusading’ moral position on controversial issues covered in the articles. St. Clair’s decision to publicly denigrate Dr. Rosenzweig was all the more powerful because it boiled down highly contentious matters—abortion and abortion-induced homicide—into a conflict between strong and identifiable personalities. It is much easier to support or to condemn distinct figures than it is to fight with shadows, and St. Clair and Rosenzweig served as suitable proxies for their respective factions, the anti-abortion moralists and the abortionists. Bereft of this, the first wave articles more often featured objective description rather than subjective moralizing. Nevertheless, it would be improper to assert that the NYT was by any means toothless during the early Postbellum Period, even on the abortion issue. Newspapers are fundamentally *curated* publications; the final form of each publication relies on the consent and the concord of the publication’s overseers. Accordingly, even though the NYT did not publish stories of the crusading-type backed by its own moral authority, it may be said that the newspaper nevertheless expressed its views through

literary ventriloquism by voicing its outlook in the selection of articles it chose to publish.

An 1868 article, for example, in summarizing the proceedings of a State Medical Society meeting, quoted the group president speaking out against the crime of abortion and its status in the law. “If these words, ‘with a quick child,’ could be omitted, and the statute otherwise remain as it is, the period [during which the procurement of abortion would be deemed second-degree manslaughter] would be made to cover the whole period after conception.”³¹ This speech was typical of the view that many establishment physicians, as the self-avowed protectors of life, had regarding abortion. It is significant that this article received from the NYT a rare byline—“From Our Own Reporter”—thus emphasizing the NYT’s ownership over the collection of facts assembled in the report, and perhaps even its endorsement. Regardless of these speculations, this extraordinary article represented a remarkable intersection between newsmen, lawmakers, and physicians, since it featured the wide circulation of a prominent medical man’s idea for additional restrictions in the state abortion law. This dissemination of medical opinion likely influenced passage of the 1869 law that altogether dismissed the quickening doctrine, since the law was passed on May 6, 1869, a little more than a year after the publication of this article.³² Another article in 1868, headlined, “Responsibility of the Medical Professions” and penned by an anonymous author, proposed additional legislative restrictions as well. The writer observed that abortion was “practiced at this day to a very alarming extent and some means, both by enforcing the present laws and by providing still more stringent ones, should be adopted to lessen it.”³³ As a result, despite its unwillingness to declare a crusade against abortion at the time and despite the dearth of *stylistically* sensational stories, the NYT provided its tacit endorsement to anti-abortion advocates and influenced wider sentiment, possibly even legal sentiment, by publishing the

viewpoints of these advocates.

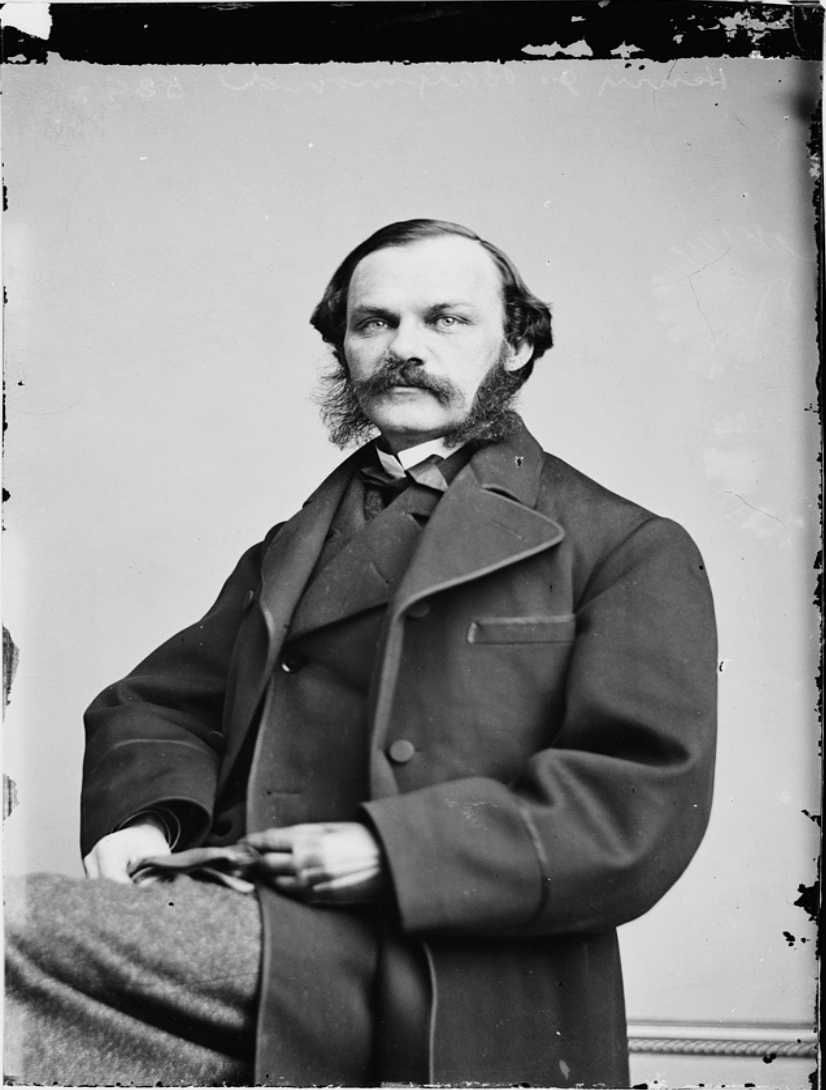
THE STATE OF NEWSPAPERS AND JOURNALISM
IN 1870

For American newspaper publishers in the nineteenth century, sensational subjects provided an inexhaustible source of consumer interest. In the Postbellum Period, newspapers were lucrative due to a rising urban working-class population that supplied an increasing number of readers.³⁴ By 1870, there were about 4,500 newspapers circulating in the United States, up from the 3,000 that proliferated in 1860 before the start of the American Civil War. Most newspapers at the time were small weeklies, but daily newspapers such as the NYT were growing steadily in number, with 574 dailies throughout the United States by 1870.³⁵ These newspapers benefited from a steady readership; in 1870, the total circulation of urban daily newspapers was 2.6 million.³⁶ The rising urban population—itsself a product of European migration to New York and the general migration of rural Americans to cities in search of employment—and the abundance of daily newspapers in 1870 mingled with an additional characteristic of the era.³⁷ The United States boasted considerably high literacy rates in the latter half of the nineteenth century. In 1870, eighty percent of the total American population over the age of ten was literate.³⁸ Significantly, only about twenty percent of the black population was literate at that time, meaning that most newspaper readers in the immediate Postbellum Period were white.³⁹ By 1870, demand for information and entertainment via newspapers was high, and this desire was met continuously by newspapers that published engrossing and entertaining content for their readers.

This rise in demand stemmed partly from influence of the American Civil War, which casted a long shadow over journalistic practices and public appetite in the Postbellum Period. In fact,

the demand for information during the war was so great that the NYT began publishing its additional Sunday issue in 1861.⁴⁰ The war made newspapers indispensable and provided great eminence and respectability to journalists, who were presented as liaisons between newspaper readers and the horrors of the battlefronts. As academic Karen Roggenkamp notes, newspapers in New York kept large staffs of war correspondents to feed the abundant public hunger for war coverage. Readers came to see these correspondents as “adventurous, reliable storytellers,” and journalists at large found themselves moving progressively inward from the periphery of public notice.⁴¹ This increased reliance on journalists stemmed partly from the invention of the telegram, which made it possible for war correspondents to report information very quickly—more quickly, in many cases, than military officials, who would then have to rely on newspaper reports for accurate information.⁴² Future Supreme Court Justice Oliver Wendell Holmes, Jr. best expressed the public dependence on the press in 1861 when he wrote, “Everything else we can give up...Only *bread and the newspaper* must we have, whatever else we do without. How this war is simplifying our mode of being!”⁴³ These American Civil War influences continued to affect the manner of journalism years after the war’s end. By 1870, newspapers were widespread and urban readers relied upon them and their writers for accurate and compelling information on various subjects.

Yet not even the war could compel the NYT to publish overtly lurid stories. Though the “EoA” article ignited a stream of subsequent sensational abortion articles, these contrasted sharply with the type of journalism found in the NYT years earlier. Prior to the advent of the 1870s, sensationalism existed in the NYT chiefly in the form of subject, not style. This curb on explicit sensationalism may be attributed to the management of the paper. The NYT was founded by Henry Raymond in 1851 as a deliberate effort to produce a more reserved and



Henry Raymond deliberately co-founded *The New York Times* to publish non-sensational news. His death in 1869 paved the way for the appearance of sensationalism in the newspaper.

less scandalous publication than the two existing national daily New York newspapers, the *New York Herald* and the *New-York Tribune*.⁴⁴ Newspaper historian Aurora Wallace contends that these rival newspapers sought to lure readers “through expanding coverage of the city’s police, criminal courts, and political scandals,” whereas the NYT focused on news of the “factual, noncrusading” variety.⁴⁵ Raymond’s approach to the news was remarkably conservative, as typified by his own statement:

We do not mean to write as if we were in a passion, unless that shall really be the case, and we shall make it a point to get into a passion as rarely as possible. There are very few things in this world which it is worth while to get angry about, and they are just the things that anger will not improve.⁴⁶

Raymond’s editorial methodology was clearly not conducive to the sensationalism that would later creep into his publication. As noted by historian George H. Douglas, Raymond “wanted nothing to do with sensationalism, and he wanted nothing to do with crusading.”⁴⁷ It is significant to note, then, that the second wave of abortion articles, which were sensational both in subject and style, only appeared following Raymond’s death in 1869, after which the NYT ultimately fell into the complete supervisory authority of Raymond’s co-founder, George Jones.⁴⁸ The NYT would achieve notable success in the 1870s under the leadership of Jones, especially for its investigation of the Tweed Ring.⁴⁹ As such, the highly dramatic and more sensational tone adopted by the NYT journalists writing about abortion in the 1870s may partly be credited to the standards of a new authority figure.

As is evident from the above, the ubiquity of newspapers, the public demand for information, and the high literacy rates of the era made the influence of press coverage on all Americans

a significant factor. But not all newspapers enjoyed the same gravitas. By 1871, the NYT had established its supremacy with an incredible exposé on corruption in the Tweed Ring.⁵⁰ This style of investigative journalism naturally elevated the status of the publication and gave it more authority in relation to its peers. As such, the publication of the Tweed investigative articles paved the way for further crusading endeavors carried out by the journalists of the NYT—endeavors that would not have been tolerated in earlier years under the management of the more restrained Raymond. The new wave of abortion stories was sensational both in subject and in style. This too may be seen as a natural consequence of the Tweed articles. Political and economic scandal was inherently sensational, but the NYT flavored its stories with higher stakes by dramatically publicizing the attempts of William “Boss” Tweed to form a company in order to buy out the NYT. Jones, as the new authority, boldly declared the following in a spring issue of the NYT:

No money that could be offered me should induce me to dispose of a single share of my property to the Tammany faction, or to any man associated with it, or party whatever until this struggle is fought out.⁵¹

This sort of engagement was the very essence of sensationalism. The author, Jones, thrust himself into an ongoing conflict and presented it as a capitalistic clash—a “struggle” that must be “fought out”—between rival personalities: the stalwart Jones and his “property” versus Tweed and his “faction.” The effect of such sensationalism was twofold. First, the author managed to raise his own respectability, made possible by his decision to position himself in an existing news narrative and amplified in his self-presentation as a man unable to be influenced by the lure of money. Second, the author managed to vilify an opposing individual in a highly public medium simultaneously. These

effects obscured the objectivity of the narrative and transformed the news into a personal struggle featuring named actors. The result was a media-fueled crusade that disregarded any notion of journalistic neutrality and instead championed a distinct outcome, whether that be the exposure of a scandalous political machine or the prosecution of abortionists.

SENSATIONALISM AND THE SECOND WAVE
(1871-1874)

The anti-abortion crusade began in remarkable fashion with the publication of the “EoA” story in late August of 1871. St. Clair’s famous article set the precedent for future sensational articles regarding abortion. In brief, the article functioned as a call-to-arms and strove to raise public awareness and to encourage public outrage and action. St. Clair’s concluding words, which promote “the necessity of taking some decided and effectual action,” hinted at the investigative, rather than descriptive, nature of the article.⁵² St. Clair was not just writing in reaction to an event to chronicle it accurately for readers; rather, he hoped to expose an inadequately explored world of crime—a desire that shaped his article and supplied it with a prescriptive and not merely descriptive tone. In doing so, St. Clair essentially enumerated a list of active abortionists, many of whom he found through advertisements in other newspapers. His descriptions evoked the atmosphere of the various clinical spaces he visited and filled the reader with a sense of foreboding dread at the prospect of medicinal tablets, powders, and procedures. The most important distinguishing feature to notice was the presence of a sensational *style*. The use of style was especially important in “EoA,” because the sensational subject was left deliberately mysterious in the actual text of the article—the word abortion was not mentioned once, though later articles used it freely.

How, then, did St. Clair present his sensational style

in “EoA”? One of the tools in his arsenal was the untethered hyperbole, by which he made grand and even outlandish claims without much substantiation. This hyperbole is manifested in the egregious statistics he mentioned as well as in the extreme register of his diction. In the case of the former, for instance, St. Clair made reference to the “thousands of human beings [who] are...murdered before they have seen the light of this world, and thousands upon thousands more of adults [who] are irremediably ruined in constitution, health, and happiness.”⁵³ These numbers were not reliably sourced, nor were they meant to be taken seriously. They did, however, effectively project the impression of a massive throng of victims and collateral casualties, highlighting the extent of the crime. St. Clair’s diction, too, portrayed a stark and unforgiving reality. His references to “great evils,” “depravity,” and “a systematic business in wholesale murder” combined to establish a link between the act of abortion, utter moral laxity, and excessive greed.⁵⁴

Relatedly, the lack of substantiation behind St. Clair’s outlandish statistics was aggravated by the proliferation of anonymous sources in his article. One source, a “retired practitioner,” told St. Clair how he gave his patients placebo pills in lieu of actual abortifacients since the “retired practitioner” did not support abortion.⁵⁵ This article, therefore, also featured two remarkable developments: the unapologetic use of anonymous sources and the increased prominence of the author, who was mentioned explicitly in the article as the “writer.” In the case of the first development, one must recognize that St. Clair’s reporting thrived off of hearsay. After all, he noted that a book attributed to one of the physicians he condemned “is said to have been plagiarized from a French author,” with the use of the passive voice eliminating the possibility of assigning anyone responsibility for the origin of the rumor.⁵⁶ Though this might have made St. Clair’s comment seem unproven, paradoxically, it also made it difficult to disprove. Who can one question to

determine the truth of the plagiarism? St. Clair's reliance on hearsay appealed to the ever popular neighborhood authority of gossip and poisoned the reader's impression of the so-called plagiarizer even without corroboration. W. Joseph Campbell, a scholar of yellow journalism, points out that the implementation of anonymous sources is one of the hallmarks of sensationalistic reporting, along with a tendency for self-promotion and for the promotion of the newspaper and its achievements.⁵⁷ The penchant for publication promotion was also evident in later stories. The author of an article detailing the investigation of an abortion-linked murder in which a young woman's body was found stuffed in a trunk was not hesitant to praise the role of his publication in the unfoldment of the whole affair. "The Press, therefore," the author wrote, "became a powerful auxiliary to the Police, and, in fact, brought the case to a successful culmination."⁵⁸ Though the author of that article did not know it at the time, the NYT would soon assist the affair in a more dramatically powerful fashion, since the deceased young woman was the very one St. Clair later claimed he saw in Dr. Rosenzweig's home. In the case of authorial prominence, which was the second development mentioned above, it is intriguing to notice that St. Clair later even eschewed the convention of avoiding bylines and signed his name at the end of the article in which he dramatically announced his recognition of "the blonde beauty" allegedly killed by Dr. Rosenzweig. St. Clair's journalistic practices in this period serve to highlight the role of the individual author as an active and engaging part of the story.

At the same time, St. Clair's representation of the abortionists and the victims presented a prototypical model that later sensational articles also followed. In "EoA," St. Clair enumerated countless abortionists whom he had discovered in scandalous advertisements. He even noted whether a given doctor was of foreign origin. For example, he stated that Dr. Rosenzweig was either a Russian or a German Jew, a Dr. Evans

was from Scotland, and a Dr. Franklin was most certainly a German Jew.⁵⁹ These subtle national markers served to further the distance between the abortionists and everybody else by imposing a racial divide between them, thereby associating the act of abortion with foreign influence in a way that imperceptibly fed into nativist discontent with immigrants. But the abortionists were not the only individuals portrayed in the abortion articles. Without a doubt, the most important persons were the various unfortunate women who sought to procure an abortion. These women were all white and they were nearly always portrayed as victims. Take, for example, the NYT article about Emily Post, whose abortionist attempted to abandon her when she became ill. Post was referred to as an “unfortunate woman” and a “sick woman.”⁶⁰ Both adjectives highlighted her despair and did little to underscore the triumph of her story—her ability to write down her testimony prior to death. It was the propagation of such stories that likely encouraged the New York Legislature to pass the 1874 law which declared the deathbed testimony of abortion victims admissible in court. Notwithstanding Post’s testimony, later coverage continued to emphasize the tragic nature of her demise by saying that her married lover “accomplished her ruin” after promising to marry her though he was already married.⁶¹ Since sensational abortion coverage most often featured women who had died, the coverage of the NYT suggested to readers a near one hundred percent mortality rate. Even in death, the author of these articles often exaggerated the beauty of the deceased, once again highlighting the tragic loss of gorgeous femininity. The following is an excerpt from the first article to cover the abortion-related murder of the young lady recognized by St. Clair:

...the young girl, for she could not have been more than eighteen, had a face of singular loveliness. But her chief beauty was her great profusion of golden hair, that hung

in heavy folds over her shoulders, partly shrouded the face, and lay in heavy masses upon her breast.⁶²

The language employed in the above description is highly evocative and even coquettish, lingering over the slender grace and loveliness of a five-foot young woman whose corpse, it must be noted, was crammed into a box that was two and a half feet long on the sides and eighteen inches deep.⁶³ In spite of this grotesque disparity between the macabre and the magnificent, the emphasis on the girl's noticeably white phenotypical characteristic—her blonde hair—once again provoked nativist anxieties, this time about the future of the white Protestant population. Scholar Sara Dubow illustrates just how pervasive this fear was in the late nineteenth century. In Dubow's reckoning, physicians were the ones who tied existing anxieties about elite white "health, fitness and vitality" to racial concerns. In the face of a dwindling European-American population, men such as the AMA's Storer "championed the idea that the upsurge of induced abortion threatened the nation's future."⁶⁴ Though the NYT never explicitly pronounced this view, the echoes of these white anxieties were noticeable in the descriptions of the female victims, who were predominantly white and dead by the time they were featured in articles. Faced with the frightening prospect of race suicide, which was spurred through the efforts of the AMA, New York lawmakers may have considered the demographics of victimized women in the newspapers to be representative of the actual demographics of dying white women.

THE UPHEAVAL OF THE AGE

The interconnections between the legislative sphere and the mass media are highly complex and ever shifting. Finding a direct causal link between the actions of one group and the responses of another is difficult enough to accomplish in the

contemporary world, much less in the world of nineteenth century America. Nevertheless, by observing trends in the manner of newspaper reporting in the Postbellum Period and linking these trends to the characteristics of the era, one can better understand the myriad of influences that coalesced to encourage legislative changes.

Within this framework, the lawmakers reigned supreme. They were the individuals ultimately responsible for the drafting and passage of laws, so it was their concerns and anxieties that must be considered when analyzing legal sentiment. As noted above, in the case of American lawmakers, the primary concerns with respect to abortion were the provability of pregnancy, the safety of women, and the potential dwindling of the white population. So sensational and pervasive was the newspaper coverage in the Postbellum Period that the concern for provability was dismissed altogether in favor of stricter laws that would hopefully protect women and safeguard the white population. This was partly the result of newspaper reporting that consistently detailed horrific botched abortion procedures and abysmal mortality rates. Neither the NYT in particular nor all New York newspapers in general were primarily responsible for influencing anti-abortion legislation. Rather, sensationalized newspaper coverage was an important part of the puzzle—albeit one that has been largely overlooked—and, in tandem with other pieces, such as the lobbying of the AMA, it helped to shape public and legal opinion.

Although the lawmakers reigned supreme, the journalists and newsmen should not be discounted. The newsmen of the NYT were largely motivated by a desire to promote themselves as respectable journalists, as in the case of Augustus St. Clair, to increase the authority of the publication they worked for, and to promote sales by increasing readership. Sensational stories provided the ideal avenue for pursuing all three goals at once. As exemplified in St. Clair's "EoA," the journalists of the NYT

were certainly not hesitant to make all sorts of callous digs at rival publications. In “EoA,” St. Clair consistently referred to the *New York Herald* as “a paper which contains strings of disgraceful advertisements,” employing an unflattering adjective that highlighted a self-imposed sense of dishonor and thus juxtaposed this characteristic of the *New York Herald* with the assumed moral superiority of the NYT.⁶⁵ In that same article, St. Clair repeatedly quoted multiple abortion advertisements, tracing each and every one to the *New York Herald*, thus establishing it as a publication filled with scandalous materials. Readers of the NYT in the post-Tweed Ring period would consequently place a great deal of faith in the newspaper’s expertise in matters of great social prominence, making them much more receptive to future investigations. Importantly, the crafty digs at opposing peer publications hinted at an underlying motive latent in the NYT newsmen. These journalists and editors were not only concerned with raising the profile and increasing the sales of their own publication, but also in denigrating the quality and moral standing of rival publications. Sensational articles thus served as a sort of subliminal battleground for journalistic supremacy in an age when more and more newspapers were being printed and read by the masses.

The question of age is an important one, for both the journalists and the lawmakers examined in this paper were the products of their time. For journalists, the American Civil War fueled an insatiable demand to record and to provide information to the public—a demand that would not perish with the conclusion of the war. For lawmakers—and, indeed, for all Americans—the American Civil War presented a traumatic and stark change from the usual *modus vivendi*. The war carried with it a staggeringly high casualty list. Such a palpable brush with death and a familiarity with its ensuing grief may have awakened in all a desire to protect the sanctity of life in all quarters, making lawmakers that much more susceptible to the influence of

the physicians and that much more alarmed by the reports of abortion and death in the newspapers. The factors, as promised, were many and complex, but they all mingled together to help explain why lawmakers were amenable to enacting legislative changes that would criminalize abortion to a greater extent than ever before.

The Evil of the Age

¹ Epigraph: Augustus St. Clair, "The Evil of the Age," *New York Times*, Aug. 23, 1871, 6. Augustus St. Clair, "Something More Concerning Ascher's Business," *New York Times*, Aug. 30 1871, 8.

² Brief of 281 American Historians as Amici Curiae, Supporting Appellees, in *Webster v. Reproductive Health Services*, No. 88-605, Supreme Court of the United States, October Term, 1988.

³ Augustus St. Clair, "Something More Concerning Ascher's Business," 8. "Ascher" was an alias for Dr. Rosenzweig.

⁴ U.S. Library of Congress, Congressional Research Service, "Abortion: Judicial and Legislative Control," Issue Brief # 1B 74019, 1981. For a more detailed analysis of these changes across various states in the nineteenth century, see James Mohr, *Abortion in America* (New York: Oxford University Press, 1978). Mohr's insights on the bookends of the century are particularly relevant. At the turn of the nineteenth century, no legislation concerning abortion existed in the United States. By the turn of the twentieth century, practically all jurisdictions had strict laws restricting abortion and labeling it a criminal offense.

⁵ James Mohr, *Abortion in America*, 217-219.

⁶ *Ibid.*, 26-27.

⁷ Leslie J. Reagan, *When Abortion Was a Crime: Women, Medicine, and Law in the United States, 1867-1973* (Berkeley: University of California Press, 1997), 8.

⁸ Mohr, *Abortion in America*, 5.

⁹ This use of the word 'quick' to denote a sort of life-giving agency is still extant in phrases such as "the quick and the dead."

¹⁰ *Laws of the State of New York*, Vol. II, (Albany: Banks & Brothers, 1869), 1502-3.

¹¹ Mohr, *Abortion in America*, 218.

¹² *Ibid.*, 219.

¹³ *Ibid.*, 170. Mohr notes that even prior to the AMA's founding in 1847, many physicians worked to support the passage of anti-abortion statutes, though these efforts were decentralized and haphazard.

¹⁴ Janet F. Brodie, *Contraception and Abortion in Nineteenth-Century America* (Ithaca: Cornell University Press, 1994), 269-270.

¹⁵ Reprinted in *Abortion in the Nineteenth Century* (New York: Arno Press, 1974), 31-7.

¹⁶ Brodie, *Contraception and Abortion*, 270.

¹⁷ I use the word 'Postbellum' to distinguish the era immediately following the American Civil War, in contrast to 'antebellum America.' As will be shown later, the consequences of the end of the American Civil War on anti-abortion legislation and abortion-related press coverage cannot be discounted.

¹⁸ See, for instance, Mohr, *Abortion in America*, 148, in which Mohr mentions

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“underlying public tolerance of abortion that had remained so common in the United States through the 1850s”; or 16, “...this practice was neither morally nor legally wrong in the eyes of the vast majority of Americans, provided it was accomplished before quickening.”

¹⁹ Ibid., 6.

²⁰ Marvin Olasky, *Abortion Rites: A Social History of Abortion in America* (Wheaton, Illinois: Crossway Books, 1992), 35.

²¹ Anthony M. Joseph, “The ‘Pennsylvania Model’: The Judicial Criminalization of Abortion in Pennsylvania, 1838-1850,” *American Journal of Legal History* 49, no. 3 (2007), 284-290.

²² Ibid., 291. Joseph offers quite a few imaginative titles to these various rules, including the born-dead rule, the born-alive rule, the accessory to murder rule, and the maternal reprieve rule.

²³ *Oxford English Dictionary*, s.v. “sensational,” accessed January 4, 2016.

²⁴ “The Wolfer Murder,” *New York Times*, Oct. 21, 1865, 3. ‘Murder’ is used prematurely since the case was ongoing at the time.

²⁵ “The Cobell Abortion Case,” *New York Times*, Oct. 24, 1865, 8.

²⁶ “A Springfield Physician Arrested for Malpractice—A Dishonest Detective,” *New York Times*, Aug. 14, 1867, 1.

²⁷ “The Strong Case,” *New York Times*, Nov. 25, 1865, 2. The other twelve articles are: “Strong Divorce Case,” Nov. 28, 1865, 1; “Strong Divorce Case,” Nov. 30, 1865, 2; “Strong Divorce Case,” Dec. 2, 1865, 2; “Strong Divorce Case,” Dec. 5, 1865, 3; “Strong Divorce Case,” Dec. 13, 1865, 2; “Strong Divorce Case,” Dec. 14, 1865, 2; “Strong Divorce Case,” Dec. 15, 1865, 8; “Strong Divorce Case,” Dec. 16, 1865, 2; “Strong Divorce Case,” Dec. 21, 1865, 2; “The Strong Case,” Dec. 26, 1865, 1; “The Strong-Stevens Case,” Dec. 28, 1865, 8; “The Strong-Stevens Case,” Dec. 29, 1865, 1.

²⁸ Karen Roggenkamp, *Narrating the News: New Journalism and Literary Genre in Late Nineteenth-Century American Newspapers and Fiction*, (Kent, OH: Kent State University Press, 2005), 49.

²⁹ Ford Ridley, “Birth of the Byline,” *New York Times*, April 22, 2013. Accessed January 4, 2016. http://opinionator.blogs.nytimes.com/2013/04/22/birth-of-the-byline/?_r=0.

³⁰ “Local Intelligence,” *New York Times*, Sept. 9, 1868, 2.

³¹ “State Medical Society,” *New York Times*, Feb. 7, 1868, 5.

³² *Laws of the State of New York*, 1502.

³³ “Responsibility of the Medical Professions,” *New York Times*, Aug. 5, 1868, 4.

³⁴ David Bulla and David Sachsman, “Introduction,” In *Sensationalism: Murder, Mayhem, Mudslinging, Scandals, and Disasters in 19th-Century Reporting*, (New Brunswick: Transaction Publishers, 2013), xxiii-xxiv.

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³⁵ Roggenkamp, *Narrating the News*, xiv.

³⁶ David Bulla and David Sachsman, "Introduction," xix. The Postbellum Period saw a remarkable surge in the number of newspapers. As noted by Bulla and Sachsman, the number reaches about 12,000 in 1890.

³⁷ Jennifer Moore, "'Ours Has Been No Pleasing Task': Sensationalism in Frank Leslie's Campaign against Swill Milk," In *Sensationalism: Murder, Mayhem, Mudslinging, Scandals, and Disasters in 19th-Century Reporting*, (New Brunswick: Transaction Publishers, 2013), 130.

³⁸ U.S. Department of Commerce, Bureau of the Census, *Historical Statistics of the United States, Colonial Times to 1970*, Series H 664-668.

³⁹ Ibid. This category is denoted "Negro and other," thus incorporating other nonwhite groups. Whites are separated into native and foreign-born categories, but distinct data for the two subgroups is not available for 1870.

⁴⁰ Aurora Wallace, *Newspapers and the Making of Modern America: A History* (Westport, Connecticut: Greenwood Press, 2005), 157.

⁴¹ Roggenkamp, *Narrating the News*, 49.

⁴² George H. Douglas, *The Golden Age of the Newspaper* (Westport, Connecticut: Greenwood Press, 1999), 55-6.

⁴³ Oliver Wendell Holmes, *Pages from an Old Volume of Life: A Collection of Essays, 1857-1881*, (Cambridge: Riverside Press, 1895), 1. Holmes referred to the phrase 'bread and newspapers' as the successor to the satirical poet Juvenal's summation of Roman desire: *panem et circenses*—bread and circuses.

⁴⁴ Douglas, *The Golden Age of the Newspaper*, 57.

⁴⁵ Wallace, *Newspapers and the Making of Modern America*, 156.

⁴⁶ Quoted in Richard Kluger, *The Paper: The Life and Death of the New York Herald Tribune*, (New York: Knopf, 1986), 80.

⁴⁷ Douglas, *The Golden Age of Newspapers*, 57.

⁴⁸ Elmer Davis, *History of the New York Times, 1851-1921*, (New York: Little and Ives, 1921), 81-6. After Raymond's death, the post of editor passed from John Bigelow to George Shepard and then to Louis Jennings.

⁴⁹ Douglas, *The Golden Age of Newspapers*, 120-121.

⁵⁰ Marvin Olasky, "Opposing Abortion Clinics: A New York Times 1871 Crusade," *Journalism Quarterly* 63, no. 2 (1986), 305. Olasky brings up the Tweed Ring to demonstrate how most students of journalism know about the NYT's coverage of it, while exceedingly few know about the so-called abortion crusade. The assertion about increased authority as a result of the Tweed Ring exposé is my own.

⁵¹ Quoted in Sidney Kobre, *The Yellow Press and Gilded Age Journalism*, (Tallahassee: Florida State University, 1960), 92.

⁵² St. Clair, "The Evil of the Age."

⁵³ Ibid.

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⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ W. Joseph Campbell, *Yellow Journalism: Puncturing the Myths, Defining the Legacies* (Westport, CT: Praeger Publishers, 2003), 7-8.

⁵⁸ "The Trunk Mystery," *New York Times*, Aug. 30, 1871, 8.

⁵⁹ St. Clair, "Evil of the Age."

⁶⁰ "Another Victim of the Abortionists," *New York Times*, Aug. 30, 1871, 8.

⁶¹ "The Brooklyn Abortion," *New York Times*, Aug. 31, 1871, 8.

⁶² "A Terrible Mystery," *New York Times*, Aug. 27, 1871, 1.

⁶³ Ibid., 1.

⁶⁴ Sara Dubow, *Ourselves Unborn: A History of the Fetus in Modern America*, (New York: Oxford University Press, 2011), 20-1.

⁶⁵ St. Clair, "Evil of the Age," *New York Times*, Aug. 23, 1871, 8.

Images:

Page 151: Fragment of "The Evil of the Age," Augustus St. Clair, *The New York Times*, August 23, 1871, Page 6.

Page 162: "Hon. Henry Jarvis Raymond of N.Y.," photograph, circa 1855-1865, via Library of Congress Prints and Photographs Division in Washington D.C.: Brady-Handy Photograph Collection, www.loc.gov/pictures/resource/cwpbh.03070/ (accessed May 4, 2016).

SENIOR HONORS THESIS ABSTRACTS

**“There grows in the land here neither wine nor meat”:
Governance and Conflict in the German Rule of 16th
Century Venezuela**

Ryan Anderson

This thesis examines a period in the early history of Spanish Venezuela, wherein a company of German speaking men, funded by a rich Augsburgian family, administered the colony for 28 years on behalf of the Spanish Crown. In discussing this period of colonial history, this work primarily discusses the reasons why the German administration collapsed with such speed and severity, fitting into a centuries-long historiography on the same issue. My approach, fitting with those of historians writing in the past fifteen years, is to describe the difficult contexts in which a German administration had to work in a Spanish empire, and how multiple forces - poor administration, adventure seeking, and mistreatment of the Indians on the Germans' behalf, and a tide of changing domestic opinion and scapegoating of the German presence on the Spanish crown's side - colluded to yield the colony's demise. Secondly, this thesis works to foster the growth of an English-language historiography on the issue. Almost all histories written to this date have been in either German or Spanish traditions, a property that makes the furthering of the study in English more difficult and lends itself to easy biases, e.g. a nationalist bent. I hope that this work will encourage other English speakers to study this peculiar trans-(proto)-national phenomenon and enrich our understanding of its complications. My main primary sources for this study were a pair of travel narratives, written by two of the conquistadors in the 1530s and 1540s, as well as some of their correspondences. However, the decrees of the Spanish Crown on the German colony as well as near-contemporary histories on Venezuela were

critical additions to these materials. This research emphasizes overall the agency of the Spanish elite and the Spanish Crown in the administration of the German colony, suggesting that under the guise of protecting the Indians yet motivated principally by their dismal financial returns, the King of Spain moved to actively displace the Germans from his empire.

“To Preserve Them from Extinction”: Richard Henry Pratt and the Indian Education Movement

Emily Delisle

My thesis examines the establishment and operation of the Carlisle Indian School, the first federal off-reservation residential school for American Indian children and young adults. The school was founded in 1879 by a man named Richard Henry Pratt, an officer in the United States Military who had served both the Civil War and the “Indian Wars” on the Western frontier which continued after the Civil War had come to a close. Pratt’s personal contact and experience with Native American peoples during his time in the West ultimately inspired his lifelong mission to assimilate Native American children through forcible acculturation and an educational program whose explicit intent to “kill the Indian, save the man” remains a deeply troubling episode in American history. My research, relying heavily on Pratt’s own writings and correspondences with both Native American individuals directly affected by his policies and the many government officials responsible for Indian Affairs at the time, investigates the racial ideology and federal policy behind the school’s establishment, the evolution of Pratt’s work and thought both before and during his early years as the school’s superintendent, and the vast range of experiences of the Indian students themselves at Carlisle.

Budding Life in a Barren World: The Revival of Jewish Life and Community in the Post-World War II Displaced Persons Camps

Sarah Emmerich

This thesis explores the rehabilitative process experienced by the Jewish survivors of the Holocaust in the post-World War II Displaced Persons (“DP”) camps. In the immediate aftermath of World War II, a network of DP camps was established by various Allied organizations. While these camps were organized and ran by Allied officials, the Jewish survivors took on remarkable leadership roles which allowed life within the camps to flourish. Between the years 1945 and 1951, life for the Jewish survivors in all its varied facets and capacities thrived within the DP camps. Just months after the liberation of Hitler’s concentration camps, children were playing in the streets and attending schools and adults were regaining their health and receiving professional and vocational training. Moreover, in 1946, Jews were marrying on a daily basis and the Jewish DPs boasted the highest birthrate in the world. In the aftermath of the war, therefore, those Jews who managed to evade Hitler’s Final Solution were able to establish a societal framework within the refugee camps in which they found themselves, and to recreate lives that had purpose and meaning amidst darkness. By exploring the confines in which this life emerged, this thesis analyzes the way in which the Jewish survivors created a life for themselves—with assistance from their liberators—in an otherwise hopeless time.

Moral Education in Public Schools: The Complexities of Teaching Controversy

Sarah Engell

In 1974 the proposal and adoption of new language arts textbooks, that sought to emphasize themes of multiculturalism and egalitarianism, sparked a violent year-long protest in Kanawha County, West Virginia. The opposition perceived the texts as

overly sexual, anti-American, and intrusive while supporters celebrated the diversification of narratives and information. The ability of newly adopted language arts textbooks to spark an explosive controversy reflects the impact of textbooks and, more broadly, public education on creating a sense of identity and belonging. Through objecting or supporting the textbooks and the language they contained, the citizens of Kanawha County were bitterly fighting to protect their own definitions of what it meant to be a good student, parent, teacher, community member, and American. Furthermore, through protesting and ultimately reworking the process of textbook adoption and inclusion, the citizens redefined who and what was included in their notion of a good public school education. The research seeks to understand how a community's perception of public education and the role it should play in a child's life impacts the inclusion of the public in academic decision making as well as the insertion and definition of controversial matter in the classroom. In addition, the research seeks to better understand the triangulation of rights in public school between students, teachers, and parents.

**“Prompt, Adequate, and Effective Compensation”:
The Role of American Businesses in Cuban-American
Relations, 1959-1961**

Taylor Evensen

The nationalization of American property by the Castro regime totaled more than \$1.8 billion, or \$9 billion in today's dollars. It was the largest property seizure in American history by a foreign government. 6,000 individuals and firms, including many Fortune 500 companies such as Coca-Cola and Exxon Mobil, lost their holdings. This thesis examines the role of American companies in Cuban-American relations from the passage of the First Agrarian Reform Act in May 1959 to the Central Intelligence Agency's support of the Cuban exile invasion at the

Bay of Pigs in April 1961. In doing so, this work aims to provide clarity to this tenuous period of relations and expand on the work of scholars who have focused almost exclusively on the role of diplomats. This study includes an extensive examination of the correspondence between U.S. government officials and corporate executives, as well as an analysis of internal corporate documents and personal memoirs. The findings of this research challenge the traditional historical notion that firms did not play a decisive role in American foreign policy. Although corporate executives disagreed with the Department of State's policies at times, they nevertheless regularly communicated with the U.S. government and provided valuable intelligence and insight into Cuba's domestic conditions. Ultimately, as relations deteriorated, American companies emerged as an instrumental means for the U.S. government to apply pressure on Cuba without overtly breaking diplomatic ties.

**Delinquents, Rebels, Lovers, and Lost Souls:
Representations of American and French Youth Culture
in Film**

Carolyn Grace

This thesis examines the various representations of America's youth culture over the postwar period, beginning in the early 1950s and ending in the late 1960s. Specifically, this thesis will explore the representations of American youth culture through one particular lens: a cinematic one. It addresses the film industry's popular representations of youth culture and its impact on Americans' larger understanding of youth. At this point in American history, youth underwent a lot of public scrutiny, and for a variety of reasons. In the 1950s, concerns about juvenile delinquency -- stemming from World War II -- reached levels of mass hysteria. Hollywood perpetuated the image of riled-up, antisocial youngsters for moral and exploitative purposes, wanting to participate in the national conversation about youth,

but also wanting to attract audiences. By the 1960s, however, many elements of youth culture that had once been reprimanded were now celebrated as wholesome aspects of young American life. But this image did not last into the mid and late 1960s. In its place, the film industry presented youth who were uncertain and unsure of their lives, unable to be satisfied in the present and incapable of envisioning a brighter future. This shift in representation was due not only to major cultural shifts in the United States, but largely to the influence of France and its movies representing youth culture. The subtle, stoic behaviors of young French stars and the personal philosophies of their directors made an impact on the shift between the way American films showed youth in the '50s and the way they portrayed them in the '60s. This became a part of the two countries' already-existing transnational exchange of experiences with youth culture. Although youth were viewed as the "other" in other forms of popular media, the film industries in both France and the United States played a far larger role in perpetuating this idea given its visual dominance.

Redefining American Motherhood: Emily Mudd's Mission at Home and Abroad

Helen Hunter

In 1929, Emily Hartshorne Mudd risked arrest by volunteering as a nurse at Philadelphia's first birth control clinic. Visibly pregnant with her second child, Mudd relied on an antiquated law that barred the incarceration of a pregnant woman in order to serve women in need of contraceptive advice. Before this bold venture, Mudd had worked for a decade as her husband's unpaid research assistant in immunology and had personally experienced the conflicting pressures on women in the early twentieth century who aspired to be both mothers and professionals. Over the next seventy years, Mudd became a key player in the development of marriage counseling as a way to help women navigate their

maternal and professional ambitions. Scholars have remembered Mudd for her contributions to the field of marriage counseling but have failed to recognize the extent of her larger professional ambitions. This thesis reconsiders her achievements by examining her early career in the birth control movement and her trips to Germany and the Soviet Union around the Second World War, where she examined and warmly approved of government support for working mothers. These missions characterize Mudd as a strong-willed and pragmatic realist making concessions to a slowly changing social order.

Sir Percy Loraine and Anglo-Turkish Rapprochement 1934-1939

Otto Kienitz

This thesis weaves the tale of British Ambassador to Turkey Sir Percy Loraine through the fabric of interwar diplomatic history, uncovering the personal relationships and key turning points in Britain's foreign relations with the newly founded Republic of Turkey. Only years after the fierce animosity of the First World War, Britain tentatively reached out to Turkey to form a political and economic ally in the Eastern Mediterranean, a partnership that could bring stability to the Balkan Peninsula, protect British imperial interests in the Middle East, and preserve the status quo in the Mediterranean Basin. Following the rise of Fascism in Italy and Germany, the Anglo-Turkish relationship began to develop with a sense of urgency, and one man stood at the center of this diplomatic exchange. Sir Percy Loraine, one of the last professional diplomats of the old European state system, was a polished ambassador with a track record of working with Eastern strongmen from Persia to Egypt. I explore Sir Loraine's archival legacy, using his assiduous diary entries, official correspondences, and private papers to craft a narrative of personal contacts and tête-à-tête conversations to provide a closer look at diplomacy in action. Tracing Loraine's relationships with his Secretary of

States and his cousin in the Foreign Office in London, and his friendships with the Turkish President, Prime Minister, and Minister of Foreign Affairs in Ankara, I am able to direct attention to the behind the scenes rapprochement that picked up speed between 1934-1939, and provide a more firsthand understanding of the Anglo-Turkish alliance and the reasons for its collapse soon after the outbreak of the Second World War. This thesis charts the personal, social, economic, political, and diplomatic underpinnings of Anglo-Turkish relations in the interwar period, blending personal narratives with the geopolitics of southeastern Europe to create an engaging exploration of diplomatic history in vivo via Sir Percy Loraine's ambassadorial savoir-faire.

Informed Mourning: Museum Representation of the Holocaust in Berlin and DC

Alex Levy

This thesis examines the creation of national memory of the Holocaust in the United States and Germany. It traces the trajectory of Holocaust memory from the end of World War II in 1945 to the present day, in which world-renowned museums have been built in the capitals of both countries. This expands upon existing research by synthesizing information about the museums in Berlin and DC while also connecting it to the process of creating national memory. The research methods utilized include qualitative analysis of the museums, newspaper articles, and interviews with prominent museum staff. Secondary accounts of museums are included to supplement these sources. The findings of this research conclude that while these museums have provided an accessible history of the Holocaust, they have not eradicated the issues that inspired their creation. Therefore, the field of Holocaust memory merits continued study and analysis.

“Spies All Their Lives”: African Americans and Military Intelligence During the Civil War

Carly Mayer

This thesis examines African American men and women's military intelligence efforts during the American Civil War. In particular, it focuses on why and how African Americans participated in clandestine activities. In doing so, this work aims to challenge the disjointed nature of existing literature that narrates the efforts and contributions of African American spies. Most authors who engage the topic fabricate elaborate heroic narratives, a consequence both of immense public fascination with the topic of spies and the lack of easily accessible sources. Where is the truth of these people and their efforts noted in the history we read and write? This thesis, then, seeks to set the foundation for a cohesive body of literature that compiles and narrates the efforts of African American spies. It analyzes the military intelligence activities of specific African American men and women and their contribution to the Union cause, and also strives to highlight the masses of “intelligent negroes,” who, despite being unnamed, significantly assisted the northern war effort. Ultimately, this work confirms that African Americans became the Confederacy's unanticipated yet undeniable “chief source of weakness,” as they proved, time and again, their vast abilities to assist the Union army and navy. The independent slaveholding republic fell victim not just to Union forces but also, notably, to the determined resistance of its enslaved population. War transformed enslaved men and women into an “enemy within” that the Confederate South was simply unable to suppress.

One Nation Overseas: The Statecraft of the United States Congress in the Age of Democratic Revolutions

Varun K. Menon

This thesis chronicles the influence of the United States Congress in shaping the American encounter with the world through foreign policymaking, primarily documenting the 12th through 20th Congresses from 1811 to 1826. By presenting American diplomatic history during this tumultuous period of global revolutions from the perspective of Congress, this work contends that the Legislative Branch began to actively assert its power in international matters that had been largely dominated by the Executive Branch under the first three presidential administrations. From the declaration of the War of 1812 to the independence of the Latin American nations, Congress began to exercise significantly more influence over foreign relations in response to various interests facilitated through the body's institutional growth and maturation. Various actions throughout this period from declaring war, to negotiating and ratifying treaties, to regulating international commerce, to recognizing foreign actors, to confirming diplomatic nominations, to legislating and appropriating the nation's foreign apparatus as a whole were subject to new assertions of Congressional authority that set important precedents for where formal and informal power resides in the foreign policymaking process. Through the records of Congress, its members, and its constituents, this thesis comprises a narrative of how the membership and structure of the Senate and the House of Representatives transformed in order to act on and react to international events during the earliest decades of the American Republic. In exploring the dynamic currents of power over foreign relations first truly tested during the period under review, this work illuminates the role that Congress gradually constructed for itself in the making of the American relationship with the world and how the body—and the country—changed as a result.

Resolution 3379: Israel and Zionism at the United Nations

Celine Moussazadeh

On November 10, 1975, the United Nations General Assembly adopted Resolution 3379, which declared Zionism a form of racism and racial discrimination. This thesis examines the genesis of this resolution, tracing its roots to geopolitical shifts in the 1970s that remade the world order and forever changed the conduct of international affairs. Decolonization processes in the 1960s, coupled with Arab appropriation of the oil industry and a decline in American diplomatic prestige following the Vietnam War transformed the global balance of power. An Arab-Soviet alliance quickly capitalized on American vulnerability, activating Third World hostility towards the imperialist West. Seizing upon the United Nations as their salvation, this coalition found itself with an invincible majority at the General Assembly. The launching of the Decade to Combat Racism and Racial Discrimination enabled Arab and Soviet diplomats to delegitimize their enemies in Israel and the West by labelling them racist agents. I examine both arguments for and against the resolution, giving voice to claims of Israeli injustice and discrimination against the Palestinians and articulating the corresponding defense of Zionism as the legitimate nationalist movement of the Jewish people. This resolution thus provides unique insight into the evolution of Israel's diplomatic standing and its legitimacy and sustainability as a Jewish state in the Middle East. The scholarship of this resolution has largely been a footnote in the histories of other subjects; it has never been meticulously dissected in and of itself. Using archival resources from the U.S. State Department and academic articles drawn from the period, this thesis contributes a more nuanced and comprehensive understanding of this historical moment. 1975, indeed, marks a high tide of anti-Israel sentiment throughout the world. Perhaps partially informed by entrenched anti-Semitism, the adoption of Resolution 3379 in 1975 resulted from a much

more complex—and obscure—constellation of forces.

Guns, Race, and Power: The Postbellum Rise and Fall of African American Police Forces in Two Southern Cities

Efraim Saltzman

This thesis documents that the role of race in policing, contentious in current times played a pivotal role in the Reconstruction South. It first examines the complicated political, social, and military factors which collided to precipitate the inclusion of the first blacks in the police forces of Wilmington, North Carolina and Charleston, South Carolina. It proceeds to provide an in depth vantage point of the performance of black police. Close examination of the rule books guiding police behavior, census and city directory data all show that black police constituted large portions of these two cities' police forces. Examination of black police and the forces they contributed to, through arrest records correspondence and both military and municipal records, reveals similar if not more proficient service than their previously all white counterparts. Despite such valiant attempts to police a racist society, the south eventually returned to white supremacy through Redemption. In Charleston, white Democrats' political might effectively ended black police. In Wilmington, as recounted by period newspapers white Democrats and supremacist violence combined to crush insurgent black police power. The story of the brave men in blue who defied the social order of the South through policing whites, often risking their lives, is told in this thesis.

The Fallacy of the Ideological Press: How American National Newspapers Reacted to the French Revolution from 1789 to 1793

Aaron Senior

Three important events of the early 1790s fundamentally changed American politics: the creation of a national newspaper

culture, the beginnings of the French Revolution, and the birth of political parties. The collision of all three phenomena is the subject of this thesis. Primarily, this thesis examines the conventional historical claim that the national newspaper editors of the early 1790s served as mere ideological mouthpieces for their Federalist and Republican political patrons. The obsession with and reaction to the French Revolution in the Federalist *Gazette of the United States* and the Republican *National Gazette* and *General Advertiser* serve as the test case for this historical claim. Quantitative and qualitative analysis of these newspapers show that the Federalist-Republican ideologies are not sufficient to explain how these newspapers responded and reacted to the French Revolution. Instead, a major divide is observed between the writings of the partisan newspapers and the opinions of the party founders. In explaining this divide, this thesis posits that the Republican press attempted to dissent from Federalist policies while also trying to maintain a perception of unity in the United States. In order to escape the perception of factionalism, the Republican newspapers displaced much of their partisanship to their commentary on the French Revolution. Thus, the French Revolution served a key role within American political culture—not so much as another ideological battleground, but instead as a haven for political dissent.

“Forcibly and Against Her Will”: Sexual Violence, Military Justice, and Race in the American Civil War

Anne Weis

This thesis explores occurrences of sexual violence perpetrated by Union soldiers during the American Civil War and is based upon a close study of a sample of records for Union Army courts-martial for sexual crimes. It is both a study of the ways in which sexual violence was carried out during the war and how the military justice system dealt with instances of sexual violence perpetrated by its soldiers. This thesis seeks to be a part

of an emerging scholarship on sexual violence in the Civil War that has been influenced by recent revelations about the uses of sexual violence in warfare more generally. In addition, this project features a robust focus on race, and the story about the intersection of sex, violence, and race during the Civil War that the courts-martial tell is at different moments surprising, tragically expected, confounding, and hopeful. This story both fits within a long and devastating narrative of the sexual subjugation of black women that runs through our nation's past like a poisoned vein, and breaks from that narrative in stunning ways.

