

A UNION WORTHY OF SAVING: AN INTERPRETATION OF STATESMANSHIP THROUGH THE LINCOLN-DOUGLAS DEBATES

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FOREWORD

One evening, while watching the Hoover Institute's *Uncommon Knowledge* video with Harry Jaffa, which specifically focused on the 50th Anniversary edition of Jaffa's book, *Crisis of the House Divided*, Jaffa quotes Abraham Lincoln's 1854 Peoria Speech: "Stand with anybody that stands RIGHT. Stand with him while he is right and PART with him when he goes wrong." I found Lincoln's words attractive because they seemed similar to my mother's advice when I left home for college. Lincoln's words, like my mother's words, challenged me to live morally in my new freedom. I wish to honor Lincoln and my mother through my thoughts presented in my senior thesis, *A Union Worthy of Saving*.

INTRODUCTION

During the particular *Uncommon Knowledge* episode, Harry Jaffa explains how in the first book of Plato's *Republic*, a man named Socrates converses with his interlocutors about securing justice on earth and benefiting from governing justly. Each interlocutor, however, has his own form of

governing. One particular interlocutor, Thrasymachus, a distinguished Sophist, lashes out at Socrates. Thrasymachus believes justice is at best a conventional invention imposed on the weak for the advantage of the stronger. Prior to Socrates, philosophers, like Thrasymachus, held that political power, convention, and tradition created justice. In his dialogue with Socrates, Thrasymachus is persuaded to admit the existence of the soul, and agree that justice is a virtue of the soul. Since virtue of the soul means health of the soul, justice is desirable because it means a healthy soul. Therefore political power does not create justice; political power secures justice for its health and virtue.

Harry Jaffa further explains in the *Uncommon Knowledge* episode, how it appeared to him that the debates between Lincoln and Douglas were identical to the dialogue between Socrates and Thrasymachus. Lincoln argued that America secured justice for all because it was desirable to have a healthy and virtuous republic. Douglas, however, argued that political power created the republic's justice, health, and virtue.

Plato's *Republic* exhibits Socrates's political wisdom and Thrasymachus's political power. Yet Plato indicates neither Socrates nor Thrasymachus ever became great legislators. Thrasymachus, who had political potential, is rather known for his dialogues with Socrates. How different would the *Republic* be if Thrasymachus became a great Athenian legislator after learning from Socrates? More importantly, would his laws secure justice through skilled

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statesmanship? If Stephen Douglas and Abraham Lincoln are analogous to Thrasymachus and Socrates, as Harry Jaffa suggests, then studying Abraham Lincoln and Stephen Douglas may help answer the main thesis question: In the Debates, which of the two, Abraham Lincoln or Stephen Douglas best displays the skill of statesmanship?

Statesmanship and Political Philosophy

Harry Jaffa admits his interpretation of the Lincoln-Douglas debates came to him while studying political philosophy with the legendary Leo Strauss. My quest in discovering and cementing my own interpretation of statesmanship takes me to Leo Strauss's description of statesmanship in *What Is Political Philosophy?*

“They do not look at political things from the outside, as spectators of political life. They speak the language of the citizens or statesmen: they hardly use a single term which is not familiar to the market place. Hence their political philosophy is comprehensive; it is both political theory and political skill; it is as open minded to the legal and institutional aspects of political life as it is to that which transcends the legal and institutional; it is equally free from narrowness of the lawyer, the brutality of the technician, the vagaries of the visionary, and the baseness of the opportunist. It reproduces, and rises to its perfection, the magnanimous flexibility of the true statesman, who crushes the insolent and spares the vanquished. It is free from all fanaticism because it knows that evil cannot be eradicated and therefore that one's expectations from politics must be moderate. The spirit which animat-

es it may be described as serenity or sublime sobriety.”

In a democracy a statesman appears to be an ordinary man; a man of the people. This plays perfectly to his skill because he is an insider seeking to understand the nature of his community. A statesman is not an outsider. The internal motions of his community affect him as his own. His message and example are virtuous and enlightened, yet his approach to politics is practical without being antagonistic to the natural prejudices of his people. Such political skill conveys wisdom through convention.

This seemingly ordinary man rises to statesmanship by his ability to persuade his community to secure justice and live virtuously. He knows something others do not: the justice he seeks to secure is a natural principle neither convention nor political power can create. He knows that virtue and vice spring from human nature, from the human soul; both will exist so long as man exists. His political power, then, is moderate: he seeks to secure justice for his community in the realm of possibility. This seemingly ordinary man is a political anomaly because his nature is a combination of wisdom and political power, not political power alone.

Plato's *Laws*, introduces the Athenian stranger. Leo Strauss describes the Athenian stranger as a seemingly ordinary man devoted to practical politics for the sake of securing justice for a community. According to Strauss, Plato's *Laws* teaches statesmanship to men devoted to politics: while in the midst of political power, never forget that political power does not create justice. Justice is a natural principle political power must strive to secure. Strauss says,

“In order to be able to act and speak as he does, the Athenian stranger need not abandon the fundamental distinction from which the men whom he

opposes start. Despite the most important difference between him and them, the distinction between nature and convention, between the natural and the positive, remains as fundamental for him and for classical political philosophy in general, as it was for his predecessors.”

The Athenian stranger is a political anomaly because he is an ordinary man with political wisdom and political power. The Athenian stranger is the blending of Socrates and Thrasymachus. Like Thrasymachus, the Athenian stranger is a potential legislator. Like Socrates, he tries to persuade others to the discovery of justice. The combination of both allows the Athenian stranger to convey justice through the community’s laws. Similar to the Athenian stranger, statesmanship must never abandon the distinction between nature and convention. Statesmanship must neither lose sight of the justice he seeks to convey, nor get bogged down in practical politics. A statesman must move his community towards discovering justice through his community’s conventions. Persuasion and prudence are needed. Statesmanship is not creating justice by force, but persuading his community to desire justice. After persuasion, statesmanship means securing justice, followed by maintaining that justice secured.

Lincoln and Douglas

The Lincoln-Douglas debates address the issue of what America ought to do about slavery. American slavery attracts political philosophy because it questions the conventional justice and the natural justice of slavery. Entering the Lincoln-Douglas debates, the distinctions between conventional and natural justice are kept in mind: natural justice owes its obedience to reason found in human nature. Conventional justice however, owes its obedience to the community’s shared commonality. The stability of conventional laws depends on a shared acceptance of the community and only a small degree to reason.¹

The practice of slavery in the South was common because of its generally shared acceptance, not because it was reasoned to be naturally just. The differences are fundamentally opposed to each other entering the Lincoln-Douglas debates. Douglas does not care for slavery. He cares about the stability of laws and the majority’s shared acceptance. Lincoln, however, insists slavery is naturally unjust. Since justice is a natural principle, it is created for all of human nature; then laws should equally secure justice for all persons.²

Lincoln does not intend to undermine the republic’s laws. He knows disobeying laws undermines the republic. For Lincoln, obeying the republic’s laws and conventions, even slave laws, is just because it brings confidence and stability to good laws ingrained by habit. His skill, then, seeks to guide Americans, the creators of laws, to discovering the injustice of slavery. First, he contrasts the inhumanity of slavery to the morality deeply rooted in the nature of the American people. Second, he seeks to persuade the people to see the benefits of securing justice for all. Lincoln seeks to

¹ Aristotle’s Politics 1268b22, 1270b21-23.

² Aristotle’s Politics 1282b20-23.

spark the reason embedded in human nature for all to see the natural injustice of human slavery.

Stephen A. Douglas is a masterful politician. Douglas reveres the 1820 Missouri Compromise as much as Lincoln. Douglas understands that an effective law must first be accepted then canonized into American hearts. Indeed, the 1820 Missouri Compromise was implemented by the American people. Every American respected the 36 30 dividing line. The law introduced the custom of dividing free and slave states according to its line. By 1854, when the official line was rescinded, the Missouri Compromise had been employed for 34 years.

By the late 1840s, slavery again aroused anger in the Senate, and the idea of breaking up the Union was freely expressed. Intense circumstances led to the 1854 Kansas-Nebraska Act, with popular sovereignty attached to it. The Missouri Compromise had unfortunately escalated tensions. Douglas, however, did not retire the whole Compromise. Being a crafty politician, he knew that laws securing the public good were more readily employed. Douglas emphasized that out of the entire Compromise, popular sovereignty worked best for the public good by providing people options for slavery. Douglas believed the American people rejected most of the Compromise because they wanted more popular sovereignty. Abraham Lincoln also admits Douglas's Kansas-Nebraska act is legal. Douglas used the failure of the 1820 Missouri Compromise to fortify the Kansas-Nebraska Act and the great principle of popular sovereignty.

The way Lincoln and Douglas view laws is key to understanding their view of political community. Douglas believes laws make justice. If a political community makes a law favoring slavery, then it should be so. This means that stability and democratic integrity of the political community is most

important. Douglas relies on the local majority's traditional acceptance of slavery and appeals only a small degree to their reason. Lincoln, however, relies on political community's moral reason to reject slavery. For Lincoln, the principle that a political community absolutely creates justice means, in the end, that corrupt and unreasonable political community creates injustice.

The grand distinguishing factor between Abraham Lincoln and Stephen Douglas is their understanding of the Union's purpose. The way Lincoln and Douglas view slavery and civil society reflects their view on the Union's purpose. According to Douglas, the majority creates laws and laws create justice. So the purpose of the Union is to allow the majority to create justice. Douglas, however, makes no distinction between nature and convention, between the natural and the positive. Lincoln's whole reasoning rests on the premise that political power does not create justice. Since justice is a natural principle, and slavery is naturally unjust, the purpose of the Union is to end the injustice of slavery and secure justice for all.

In 1854, Lincoln and Douglas agree the Union is defective because it is not fulfilling its purpose. Both agree America ought to do something about slavery, but disagree for what purpose. For Lincoln, the Union has a soul that desires justice. Its deep desire comes from its own defectiveness; it desires to fulfill its purpose. Lincoln understands that virtue of the soul means a healthy soul. Lincoln seeks to correct the Union soul toward securing the natural principle of justice, the principle of equal liberty for all.

Popular Sovereignty and Slavery

In 1850, the vexing question of what America ought to do about slavery led to a Compromise between the Whig and Democrat parties. The Compromise, which instituted broad fugitive slave laws, caused free-states to question the federal government's power in their local sphere. Many free-states refused to enforce the Compromise's fugitive slave laws by passing their own personal liberty laws. Broad fugitive slave laws angered northern communities, and their disregard for slave interests offended Southern gentlemen. Although popular sovereignty was attached to the 1850 Compromise, its limited use to Utah and New Mexico territories caused pro-slavery and anti-slavery men to ignore its importance.³

By 1854, Stephen A. Douglas, the champion of western territory interests, saw expansion to the west as a solution to the inner quarrel brought on by the slavery question. Seeing that popular sovereignty was moderately successful in Utah and New Mexico, the "state sovereignty" argument was freely played against federal power. In January of 1854, Stephen Douglas began drafting his Kansas-Nebraska bill. The problem, however, was that the 1820 Compromise still applied to the Nebraska territory. The 1820 Act only allowed the people of a territory to adopt a proslavery constitution when they were admitted to statehood; while they were a territory, the 1820 Act remained in force.⁴ Unless the 1820 Compromise was repealed, it would exclude slaves until the formation of a territorial government decided to let them in. This could never be expected to happen if slave interests were never established in the first place.

Douglas, afraid of moving directly against the 1820 Missouri Compromise alone, appealed to powerful Southern inte-

rests for help and together sought to repeal the 1820 Compromise. In effect, Douglas made the fictitious claim that the popular sovereignty clause attached to the 1850 Compromise purposely superseded the 1820 Missouri Compromise. On May 22, 1854, by a vote of 113 to 100, the Kansas-Nebraska act, the repeal of the 1820 Missouri Compromise, passed through Congress. President Pierce signed the law eight days later officially repealing the 1820 Missouri Compromise.

Although it seems Stephen Douglas seeks to expand slavery into free territories, which the repeal of the 1820 Missouri Compromise was believed to cause, his intent is the diffusion and gradual emancipation of slavery by securing democratic rule in the Nebraska territory. Stephen Douglas's great principle of popular sovereignty seeks to restore peace to the Union by defusing slavery over the vast territory and allowing each state and territory the freedom to regulate its own domestic affairs. "I hold it to be a fundamental principle in all free governments," said Douglas on July 16, 1858, "that every people ought to have the right to form, adopt and ratify the Constitution under which they live."⁵ Popular sovereignty is a democratic and lawful way for people of a United States Territory to exclude slavery from its limits prior to the formation of a State Constitution.

Popular sovereignty is a straightforward formula consequently appealing to the masses because it is comprehensive and easily acceptable. First introduced by Lewis Cass of Michigan, supported by President Polk, and placed in the 1850 Compromise, is based on two premises: that citizens of territories have just as much capacity for self-government as citizens of the states, and the Constitution of the United States does not grant Congress the power to regulate

³ *The Impending Crisis*, pg. 157.

⁴ *The Impending Crisis*, pg. 159.

⁵ Bloomington, Illinois, July 16, 1858.

slavery.⁶ When Douglas says, “there is but one possible way in which slavery can be abolished, and that is leaving a State, according to the principle of the Kansas-Nebraska bill, perfectly free to form and regulate its institutions in its own way [according to the Constitution],”⁷ he is prescribing popular sovereignty’s premise as a means for gradual emancipation by providing territorial governments the option to practice and legalize slavery, or not to practice and legalize slavery.

Origin of Popular Sovereignty

According to Stephen Douglas, popular sovereignty stems from the American Founding. The Founders understood that Americans were capable of self-government as citizens of states, and as pioneers forging territorial governments. Consequently the Founders established the United States Constitution as a confederacy of sovereign and independent states, according to Douglas, with powers to regulate their own domestic institutions.⁸ By emphasizing the state power of local governments, popular sovereignty shifts the power away from congress, which regulates slavery, into local and state governments where slavery and new states can decide for themselves their own institutions. By holding that popular sovereignty shifts power away from congress, Douglas implies that in 1787 the United States Constitution was originally created to secure popular and state sovereignty, and Congress had usurped its power.

Douglas makes the case that James Madison and the framers of the Constitution were securing popular sovereignty during the 1787 Constitutional Convention. During his multiple debates with Abraham Lincoln, Douglas appeals to the Founding for authority against Abraham Lincoln’s quote:

“I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved – I do not expect the house to fall – but I do expect it will cease to be divided. It will become all one thing or all the other.”⁹ Douglas counters Lincoln by appealing to the Founding: “Why can it not exist divided into free and slave States? Washington, Jefferson, Franklin, Madison, Hamilton, Jay, and the great men of the day, made this Government divided into free-states and slave-states, and left each State perfectly free to do as it pleased on the subject of slavery.”¹⁰ During the third joint debate in Jonesboro, Illinois, he asks again, “Why can it not last, if we will execute the Government in the same spirit and upon the same principles upon which it is founded? Washington and his compeers, in the Convention that framed the Constitution, made this Government divided into free and slave states. It was composed then of thirteen sovereign and independent States, each having sovereign authority over its local and domestic institutions.”¹¹ For Douglas, the power of the Constitution secures American democracy and local government; American democracy secures popular sovereignty which allows the nation to thrive divided by allowing each side to choose whether to be a faction of free states or faction of slave states.

For Douglas, popular sovereignty represents the essence of the American founding. He appeals to the Constitution with patriotic vigor. Because he believes in equal representation of local governments rather than equal representation of people, Douglas appeals to the Constitution as the safeguard of political power. His understanding of the founding does not secure justice for all human beings, rather secures the act of human beings legislating property rights. It secures democracy and legislative power. In

⁶ The Impending Crisis, pg. 58.

⁷ Bloomington, Illinois, July 16, 1858.

⁸ Bloomington, Illinois, July 16, 1858.

⁹ The House Divided Speech, Springfield, Illinois, June 16, 1858.

¹⁰ First Joint Debate, Ottawa, August 21, 1858.

¹¹ Third Joint Debate, Jonesboro, September 15, 1858.

this sense, the Founding secured State legislative rights in order for each state to maintain its own identity. The founders understood local laws and regulations that are suited for northern states, like New Hampshire, are unsuited for southern states like South Carolina. States, being diverse, should maintain their own state legislature and their own sovereignty with the power to regulate all that is local without interference in order to maintain their diversity. In order to stay diverse, one of the rights of the states secured by Douglas's founding "was the right to regulate relations between Master and Servant, on the slavery question."¹² Popular sovereignty guaranteed a state's legislative power to secure its own interests, diversity, and property rights.

Douglas's shifting of power to regulate slavery and property rights implied limiting Congressional powers to regulate slavery. During the first joint debate in Ottawa, Douglas says, "Now, my friends, if we will only act conscientiously and rigidly upon this great principle of popular sovereignty, which guarantees to each State and Territory the right to do as it pleases on all things, local and domestic instead of Congress interfering, we will continue at peace with one another."¹³ Under the principle of popular sovereignty, Douglas believed the sovereign states, free from unconstitutional Congressional interference, would work out for themselves the question of how to deal with slavery in the most efficient and peaceable manner. Indeed, Douglas mentions slavery, but only at *prima facie*, because he deems it less important than securing local power. His true intent, according to his understanding of the Framers, is securing local power rather than securing justice or human equality.

Popular Sovereignty and Local Government

Stephen Douglas appeals to the traditions of the Founding and the Constitution in order to argue that Lincoln is against the Founding and the Constitution, because Lincoln seems to care more about eliminating slavery than about saving American democracy. According to Douglas, when Lincoln says, "I believe this government cannot endure permanently half slave and half free," he is advancing the antagonist policy of uniformity. The framers of the United States Constitution dreaded uniformity. So they formed the Union based on a principle of diversity in the local institutions and laws where slavery and freedom could exist in harmony.

Douglas believed local majorities were responsible enough to choose for themselves whether to allow slavery or not. This is because Douglas claimed slavery would die without local legislation supporting it, or local authority enforcing it. Douglas's faith rested on the people's ability to refrain from adopting positive slave legislation. On July 16, 1858, Douglas held, "if the people of a Territory want slavery, they will encourage it by passing affirmatory laws, and the necessary police regulations, patrol laws and slave code; if they do not want it they will withhold that legislation, and by withholding it, slavery is as dead as if it was prohibited by a constitutional prohibition."¹⁴ Popular sovereignty suggested slavery only entered free territories when local laws sanctioned it. If people in territories simply avoided laws sanctioning slavery, then slavery would never enter new territories.

Even 17 months after Supreme Court Justice Robert Taney delivered the *Dred Scott v. Sanford* opinion, Stephen Douglas believed the Court's decision did not matter.

¹² First Joint Debate, Ottawa, August 21, 1858.

¹³ First Joint Debate, Ottawa, August 21, 1858.

¹⁴ Bloomington, Illinois, July 16, 1858.

In Douglas's words, "It matters not what way the Supreme Court may hereafter de-cide as to the abstract question, whether slavery may or may not go into a Territory under the Constitution, the people have the lawful means to introduce it or exclude it as they please, for the reason that slavery cannot exist a day or an hour anywhere, unless it is supported by local police regula-tions."¹⁵ The Kansas-Nebraska Act provided local territorial legislatures the power and authority over the subject of slavery, to introduce or exclude it so far as the Consti-tution permitted. In Douglas's mind, popular sovereignty was democratic because it enabled local governments the right to choose for themselves the necessity and profit of slaves over the moral question of human liberty. Because it gave territorial settlers options, it was democratic. Because it was democratic, it was fair: the Nebraska bill allowed for the equal opportunity to choose between slavery and freedom. Lin-coln, however, defended the 1820 Missouri Compromise because it guaranteed freedom while utterly rejecting slavery.

Equality

Popular Sovereignty removes Con-gressional ability to exclude slavery in the Nebraska territory, and places the responsi-bility on local Territorial governments. It is ultimately up to the territorial government to decide whether slavery is right or wrong. In a time when slaves were considered pro-perty, for Douglas, the idea that slaves had political rights was absurd. Douglas seems to reject the idea of natural rights and instead holds that all rights are positive. This means Douglas's particular opinion towards slavery was conditional: he did not believe in a universal principle of justice applicable to all mankind. He rather believed in political rights, those granted by government and

political compromise. Citizenship en-tailed political rights, privileges, and government immunities to particular and conditional societies. At most slaves could earn citizenship and the few political rights that local societies and state governments granted.

Douglas's popular sovereignty, hold-ing that citizens of territories have just as much capacity for self-government as citi-zens of the states, and the Constitution of the United States does not grant Congress the power to regulate slavery, meant territories could decide in all things, including defining what conditions are proper for freedom and citizenship. Because rights are privileges given by a ruling body, some persons are more worthy of rights than others. For Douglas, particularities such as economic conditions, diverse climates, and geography determine a slave's rights and liberty according to what the local majority decides is the rule of law.

Stephen Douglas believes popular sovereignty is best equipped to manage all local institutions. His intent is to preserve popular sovereignty in Government. The framers of the constitution secured popular sovereignty so that gradual emancipation of slavery, or the legislation of any other local institution, could be more easily done. Douglas argued that popular sovereignty, however, does not necessarily demand that negroes must be slaves. "It does not follow by any means that because a negro is not your equal or mine, that hence he must necessarily be a slave," says Douglas, "on the contrary, it does follow that we ought to extend to the negro every right, every privi-lege, every immunity which he is capable of enjoying, consistent with the good of society."¹⁶ Because every state is sovereign and well capable of making its own deci-sions of what rights to extend to negroes and slaves, so can local territorial governments. Illinois, for example, fixed its own policy in

¹⁵ Second Joint Debate, Freeport, August 27, 1858.

¹⁶ Third Joint Debate, Jonesboro, September 15, 1858.

relation to slaves. New York, adopted a “negro suffrage” policy repugnant to most feelings. Kentucky has the same right to choose its own policy whether it be the same or a different one. Because all local and State governments are equal in principle each state has a right to do as it pleases with-out other states meddling in its affairs. Douglas does not believe the negro neces-sarily ought to be a slave, but it should be up to the local government who monitors the slave to decide whether he is fit for freedom. The State has the right to create its own standards and conditions defining a slave’s political rights.

Once again, Douglas asks, “why cannot this Union exist forever divided into free and slave States, as our fathers made it? If we live upon the principle of State rights and State sovereignty, each State regulating its own affairs and minding its own business, we can go on and extend indefinitely...¹⁷” For Douglas, it was worth preserving the country divided into free and slave states so long as states maintained their equal ability to determine the fate of their own institu-tions without congressional intrusion. Yet Douglas’s equality meant citizenship, political and civil rights. Equality meant equal participation in government. Slaves may one day be free to equally participate in government, but that’s for equal and local power to decide.

Nature and Justice

To the question of what America ought to do about slavery, Douglas firmly believes popular sovereignty and his interpretation of the Constitution are the answer. Douglas attacks Lincoln’s policy, derived from the Declaration of Independence, of equal justice for all mankind, as a dangerous policy of uniformity that is against the diversity of states secured by the Constitution. According to Douglas, the doctrine that the

Constitution does not allow Congress the power to interfere with slavery in the States was recognized during the first session of the first Congress and has since never been called into question. It becomes necessary for abolitionists, like Lincoln, to appeal to a law higher than the Constitution in order to assault the institution of slavery. This doctrine of higher law, preached from church pulpits throughout the North, holds slavery is a sin against God; that blacks are fellow man and not simply property, and no human law or man-made Constitution can justify its existence.

For Douglas, the universal principle avowed in the Declaration of Independence, “that all men are created equal,” combined with the shock slavery is sinful because it holds men as legal property, is fanaticism driven by impulse rather than reason. “This doctrine of Mr. Lincoln,” says Douglas, “of uniformity among institutions of the different States, is a new doctrine, never dreamed by Washington, Madison, or the framers of this Government.¹⁸” Lincoln’s doctrine of uniformity proclaims that the Almighty made the negro capable of self-government. Lincoln reads the Declaration of Independence to prove all men were created equal and endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness. “I hold,” counters Douglas, “that a negro is not and never ought to be a citizen of the United States. I hold that this Government was made on the white basis, by white men, for the benefit of white men and their posterity forever...¹⁹” For Douglas, citizenship implies persons are his political equals because citizens are able to self-govern in a civil society. Throughout history, however, Douglas has seen the negro unable to self-govern. The white man, his political equal, has proven capable of leaving a barbarous state of nature

¹⁷ Third Joint Debate, Jonesboro, September 15, 1858.

¹⁸ First Joint Debate, Ottawa, August 21, 1858.

¹⁹ Third Joint Debate, Jonesboro, September 15, 1858.

to become a self-governing citizen in a political community. A citizen has the innate habit of consenting and obeying law. Slaves have no such capacity. Douglas acknowledges the Almighty and gives him his due reverence. While God may govern the heavens, man-made law governs the earth. Douglas places his greater faith in the will of the people to rightfully decide what the morality or immorality of human bondage. Popular sovereignty and democracy control all political rights; there are no higher rights than these.

Douglas's political philosophy is drastically different from Lincoln's. Douglas does not consider a universal principle of natural justice. His conception of natural is material, sensible, and empirical. In America, there can be no higher law than the Constitution, which for Douglas; the Constitution implies local power is the umpire of its own domestic affairs. For example, in his first joint debate in Ottawa, August 21, Douglas says, "He [Lincoln] holds that the negro was born his equal and yours, and that no human law can deprive him of these rights which were guaranteed to him by the Supreme Ruler of the Universe." Douglas scoffs at the idea of a "divine law." This "divine law" is often referred to as natural right, or natural justice. This right naturally abides in all mankind. God created all mankind with equal breath and consistency and gave all mankind a conscience. Natural right reflects the consistency and the ability for all mankind to consciously reason. Yet Douglas is not concerned with such philosophical obscurities. Douglas sees the natural world for what it is. Douglas says, "Now, I do not believe that the almighty ever intended the Negro to be the equal of the white man. If he did, he has been a long time demonstrating the fact. For thousands of years the Negro has been a race upon the earth, and during all that time, in all latitudes and climates, wherever he has wandered of been taken, he has been inferior to the race

which he was there met.²⁰" For Stephen Douglas, "natural" identifies racial inferiority, geographical conditions, and territorial expansion, all which are secured by the Constitution. Douglas deals with facts and historical science, not moral abstractions relating to the nature of men. He holds that the Constitution guarantees local government the right to create a desired amount of justice, and then share a small amount of justice to human beings according to local conditions.

Taking Douglas's understanding of "natural" and his firm belief that popular sovereignty is a Union saving measure, it is evident how popular sovereignty appeals to the prejudices of vast numbers of men. Douglas's natural senses indicate that the black man works best in warmer climates, and thrives in Southern climates. These are long proven historical facts. Natural conditions – not a sense of natural justice – forced New Englanders and other northern states to rid themselves of slavery. If a state or territory is conditioned for slavery, then the people of such state or territory will best judge if slavery is profitable. Therefore, only the people of a state or local territory could best decide on the slavery question, not Congress. According to Douglas, this is a constitutional fact.

Geographical conditions played a role in Douglas's understanding of "nature" and man. He consistently argued that although the New Mexico territory was open to slavery under the Compromise, and had become a slave holding territory, it never held more than a few slaves within its boundaries. Douglas claims it was up to the people of this territory who decided for themselves whether they wanted slavery or not. Climate hindered slavery and kept New Mexico a generally free territory. The New Mexican weather forbade Southern-style plantations. Climate made popular sovereignty work in New

²⁰ First Joint Debate, Ottawa, August 21, 1858.

Mexico. Thus Douglas's understanding of "nature."

A Statesman of Compromise

Douglas's principle of popular sovereignty is straightforward in language, but intricate in its application. Popular sovereignty seems to support Southern slave interests; but from a Northern antislavery perception, popular sovereignty urges gradual emancipation. Popular sovereignty's duplicity represents a principle of compromise between antislavery and proslavery factions. The Kansas-Nebraska bill repealed the Missouri Compromise and left the determination of the status of slavery in the Kansas-Nebraska territory to its settlers. From a Northern perspective, Douglas understood that it was highly unlikely for cotton to grow in the Territory. Tobacco might have grown along the Missouri River, but only in a limited portion. Only a small fraction of land was suitable for slave labor. The repeal of the 1820 Missouri Compromise allowed a few slaves to be taken into Kansas, but given the geographical circumstances, a mass migration of slaves was highly unlikely. Keeping these geographical conditions in mind, it is absurd to think selfish slave drivers would take their property to such an unprofitable place. Apart from geographical conditions, the settler's hostility to slavery would prevent slavery from taking root in the Territory. Thus, through local legislation and reasoning through empirical observations, Douglas believed slavery would gradually disappear if left to the wise rule of the majority.

As a political tactician, Douglas was among the best. Douglas needed Southern support to pass the Kansas-Nebraska act through Congress. From a slaveholding Southern perspective, popular sovereignty gave them legal precedent, a right, to carry slavery into new areas never allowed before.

So he offered the Act's legal precedent as bait, which eventually Southerners bit. Antislavery men were furious and made Douglas a proslavery villain. Douglas, however, fought back with Southern support. In the Senate, Douglas "showed himself a tremendously able tactician. He directed the entire legislative campaign, with the powerful members of the senatorial clique and even the president serving as his lieutenants. He forged and wielded the majorities which snatched victory from defeat."²¹ Although the strange duplicitous character of popular sovereignty seemed to favor slavery, Douglas needed to employ this duplicitous device in order to block the extension of slavery without causing political convulsions.

Stephen A. Douglas was a moderate man, an antislavery man, who wished to diffuse slavery through moderate methods. Of course popular sovereignty did not guarantee freedom. No law was ever made with the guarantee of absolute success. Still, the militant abolitionists who hated Douglas could not see Douglas's esoteric character. Douglas viewed slavery as a shabby institution unfit for the liberal United States. He viewed slavery as a severe form of subordination which tarnished the good American image.

He did not, however, oppose that slavery violated immutable laws of nature. When Douglas spoke of rights he did not mean a natural principle created for all of human nature. He thought of "rights" as gifts granted by State discretion, and he did not believe such rights should be extended to *all* slaves. Although he personally viewed blacks as his inferiors, Douglas found it a greater priority for local governments to decide on black inferiority for themselves. In other words, the great principle of popular sovereignty was of higher importance than the question of whether slavery was desirable or not. Considering Douglas's priorities

²¹ *The Impending Crisis*, Ch. 7, pg. 145.

and social values, he believed popular sovereignty well served the Union's purposes. "Hence," says Douglas, "the great mission of the Democracy is to unite the fraternal feeling of the whole country, restore peace and quiet, by teaching each state to mind its own business, and regulate its own domestic affairs, and all to unite in carrying out the Constitution as our fathers made it, and thus to preserve the Union and render it perpetual in all time to come."²²

Humanity in the Negro

At the heart of Lincoln's campaign rests the question: "Can the people of a United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a State Constitution?"²³ Douglas is famous for his pragmatist answer: slavery would never last in any territory or state where its climate or local enforcement was hostile to slavery. "The framers of our govt. never contemplated uniformity in its internal concerns..." says Douglas, "they all understood variety of soil, of production and interests, in a republic as large as this, required different local and domestic regulations in each locality... Diversity, dissimilarity, variety in all our local and domestic institutions is the great safeguard of our liberties."²⁴ For Douglas, slavery was a purely optional adjustment for distinctive sets of physical or economic circumstances, so he argued that the United States presented too much variety to admit a uniform policy in banning slavery outright.

What could possibly be wrong with Douglas's compelling claim? "This is a pal-

liation," assures Lincoln, "a lullaby."²⁵ Douglas's climate argument represents natural determinism where natural conditions like arable land and fertile soil determine whether slavery, a human condition, will grow or die. Yet in Missouri's western boundary adjoining the harsher and uninhabited Kansas and Nebraska territories, the geography was right for slavery. Large slave populations are present in every one of Missouri's western counties. When part of Missouri's northwest boundary was moved out a little farther west, slavery followed right along with it. "Now," says Lincoln, "when the restriction is removed, what is to prevent it from going still further? Climate will not." Climate does not determine the existence of slavery; people do. Climate plays a role in the formation of distinct civil societies, but it is impossible to determine exactly whether man, nature, or chance is the initial catalyst for the origins of civil society, which is what popular sovereignty seeks to solve.

Climate was a small point in Douglas's larger premise in support for the repeal of the Missouri Compromise, for he claimed slavery would die without support from local legislation, or enforcement by local authority. Douglas's faith rested on the people's ability to refrain from adopting positive slave legislation. Popular sovereignty suggested slavery only entered free territories when it was sanctioned by local laws. If people in territories simply avoid laws sanctioning slavery, then slavery would never enter new territories regardless of the repeal.

Douglas makes a good point. In free territories, where neither slavery nor laws regulating it existed, a free state of nature assured that all men are free on arrival. Unfortunately, the free-soil formula which guaranteed freedom in a free state of nature was good book-law, but not the rule of actual practice. Lincoln's history shows how early

²² Third Joint Debate, Jonesboro, September 15, 1858.

²³ Lincoln, Second Joint Debate, Freeport, August 27, 1858.

²⁴ Douglas, Second Joint Debate, Freeport, August 27, 1858.

²⁵ Lincoln, Repeal of the Missouri Compromise, October 16, 1854. (All future Lincoln quotes are from this speech.)

positive slave legislation did not introduce slavery, but rather regulated slavery as an already existing institution. Slave masters took slaves into new territories during the earliest stages of territorial settlement and emigration. It was likely that when a slave master and his slaves migrated into free territories, his slaves were never informed that a free state of nature had liberated them. The slave was kept laboring in ignorance of his legal emancipation. With more slave masters continuing this practice, slavery was made acceptable for that territory. When the time came to form a territorial constitution, it was the proslavery majority who created local constitutions protecting slavery, making it almost impossible to reverse the trend.

If slavery is best instituted in a free state of nature where no laws exist, would slavery have institutionalized itself in Kansas and Nebraska had the Missouri Compromise never been repealed? The grandness of a Congressional ban on slavery cannot prevent every single slave master from taking slaves into free territories, but it does deter massive slave migrations. The negative principle that no positive slave law implies freedom to slaves is not much known except among lawyers. In Illinois, for example, slaves were taken and held in quasi slavery in spite of the Ordinance of '87. When it came time to form a constitution, a free majority voted slavery out. In the adjoining Missouri country, however, where no Ordinance of '87 or any ban on slavery existed, slaves were carried there in rapid fashion, ultimately making it a slave state. To avoid this general situation, Lincoln prescribes to "keep [slavery] out until a vote is taken, and a vote in favor of it, cannot be got in any population of forty thousand, on earth, who have been drawn together by the ordinary motives of emigration and settlement." A Congressional ban on slavery early in the settlement process is wise because it favors the natural flow of free settlements becoming free states.

Is it correct, however, to pick and choose between systems of settlement and deny privileges to one form of settlement over another? The debates between systems of settlement were what led to the Missouri Compromise; one system outright claimed man as property while the other did not. The South and its slave masters wanted equal justice and consent to a system that allowed slaves into new territories. Equal justice in a system that favored slavery was a system that held slaves in Nebraska equal to hogs in Nebraska. Such a system assumed American families could not distinguish between hogs and slaves. If Americans consented to this system, then justice would deny the slave's humanity by holding slaves and hogs equal.

Yet who, besides the naturally tyrannical slave driver, is willing to do as much? American families naturally understand justice because they understand slavery in terms of ownership of men by other men. Lincoln notes how "the great majority, south as well as north, have human sympathies, of which they can no more divest themselves than they can of their sensibility to physical pain...that after all, there is humanity in the negro." This powerful sensibility is felt when discovering how personal situations and a slave's situation are potentially interchangeable; it is only by random chance that "Sambo" is slave and "Samuel" is free.

In the District of Columbia the situation of slaves has changed; 433,643 blacks – most former slaves – live free. Lincoln explains this fact by noting, "SOMETHING has operated on their white owners, inducing them, at vast pecuniary sacrifices, to liberate them [slaves]. What is that SOMETHING? Is there any mistaking it? In all these cases it is your sense of justice, and human sympathy, continually telling you, that the poor negro has some natural right to himself." Lincoln's words tug at the heart of men who struggle to make sense of the hard reality. Repeal all systems of settlement, claim that slaves are

only property, but all Americans including slave owners cannot deny the truth, that slaves are fellow men made from the same flesh. By separating systems of settlement and people, a basic but drastically different sense of justice is seen between Lincoln and Douglas. Slavery does not really matter for Douglas because he does not believe blacks have enough human affinity with whites to make their freedom necessary. Popular sovereignty leaves the fate of blacks to accident and force, and allows whites to choose the fate of blacks. For Lincoln, however, slavery matters because he recognizes enough human affinity to make the freedom of slaves necessary – the fate of men should not be left to accident and force.

The Sacred Right of Self-Government

What is so sacred about self-government that even angels were never offered it? Lincoln says he truly understands the right of self-government, and extends the principles to civil societies, towns, and communities of men, as well as individuals because it is politically wise and naturally just. Douglas mistakenly calls popular sovereignty the “sacred right of self-government.” Lincoln agrees, self-government is sacred, but popular sovereignty is not self-government, and it is definitely not sacred. “The doctrine of self-government is right – absolutely and eternally right –” Lincoln affirms, “but it has no just application as here attempted.” Self-government was never offered to angels because God made it exclusively a right for men. If self-government properly applies to all men, only one condition, whether the slave is or is not a man, bars a slave from self-government. If the slave is not a man made from the same flesh and bones, then he has no right to self-government. But if the slave is a man, then by God and Nature he has the right to govern himself. Because it is evident a natural human equality exists, it is established that

slaves are fellow men. Self-government, then, is an equally given Divine right for all humanity.

It is not in “human rights” or human equality that good governments are born. There is no doubt that the good people of Nebraska are equal to the rest of humanity. The first clause of the Declaration of Independence affirms this truth: “We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and pursuit of happiness.” What really makes good government, according to Lincoln, is not simply human equality, but the equal ability for moral reason. It is moral reason which forbids one man to rule over another without his permission. “That no man is *good* enough to govern another man, without that other’s consent,” implies a man is free to pursue his happiness within the natural bounds of morality and virtue.

The anchor of American republicanism and good government is quoted in the second clause of the Declaration of Independence: “That to secure these rights, governments are instituted among men, DERIVING THEIR JUST POWERS FROM THE CONSENT OF THE GOVERNED.” Lincoln’s faith is found in the application that “all men” or all humanity are capable of moral reason, and moral reason allows men to consent. If a person is capable of moral reason, then he will not consent to something as immoral as slavery.

Lincoln’s faith does not rest on humanity’s physical equality. Unlike Douglas, Lincoln does not need to see their physical aspects to make a moral judgment. Lincoln’s faith rests on the natural equality that all men are capable of moral reason necessary for consent. Consent is voluntarily applying moral reasoning in the act of forming a legal action. Legitimate governments are created by applying moral reason to the effect of consent in order to secure the

natural equality of moral reason. Moral reason is the natural right allowing the defense of life and the enjoyment of liberty. Moral reason guides the acquiring, possessing, and using of property, and it guides the seeking and obtaining of happiness. Consent, being the effect of moral reason, is where legitimate governments are born.

Slavery actively opposes moral reason. Not only does a slave master govern his fellow man without his consent, but Lincoln says “he governs him by a set of rules altogether different from those which he prescribes for himself.” Lincoln’s political faith strongly suggests all men are capable of moral reason. Allowing men equal consent in government so they may secure and maintain their own moral judgment is true self-government, and the righteous end of legitimate governments. Lincoln’s argument is combating popular sovereignty’s “sacredness” on moral terms because popular sovereignty extends slavery to somewhere it has never been while claiming its “sacredness.”

Douglas claims that since the few people of Nebraska have greater interests in the territory, popular sovereignty is their “sacred” right. Popular sovereignty fundamentally assumes it is right for a few to deprive the consent of the incoming many during the conception of civil society. This means that popular sovereignty by definition not only applies to slaves, but also to whites. According to Lincoln’s ancient faith, all people are capable of moral reason. Because all people are capable, it is according to their moral reason that people consent to becoming members of civil society. Lincoln’s ancient faith believes people can understand the difference between a government that secures moral reason and a tyrannical government that rejects it (and that makes safety and happiness ultimately impossible). Because safety and happiness depend on moral reason, it is not a sufficient condition, but a necessity. Moral reason is a consti-

tutional guide that must be present in order to distinguish between free and tyrannical governments. Popular sovereignty allows slave interest to reject the reasoning of the free-laboring many. It actually deprives the free from their moral reason and happiness from the very beginning. This is why Lincoln says, “Whether slavery shall go into Nebraska, or other new territories, is not a matter of exclusive concern to the people who may go there. The whole nation is interested that the best use shall be made of these territories.” If popular sovereignty allows any slave interest, then free people cannot prosper there. This one-option argument may seem unreasonable, but history has proven that in slave states where the majority of employment was slave labor, poor people remained poor for lack of free employment. Rather than providing free labor, slave states secured slavery not for the interest of the majority, but for the interests of a wealthy planter minority.

“A Union Worthy of Saving”

By 1854, pro-slavery factions wished to interpret slavery as good for the Union. Anti-slavery factions would rather sacrifice the Union than to have it continue with slavery. With each side focused on slavery legislation, the decline of the health of the Union was ignored. Each side freely remarked how it might be better to end the Union once and for all. A previous series of Congressional compromises kept the two factions at bay, but with slavery still ravaging the Union, the death of the Union was likely. Stephen Douglas was recognizably a champion of compromise, who put his philosophy into practice and truly believed his Kansas-Nebraska law was the real saving measure of the Union.

Statesmanship requires more than compromise and positive legislation; it is more than a Union-saving political skill as

understood by Douglas. True statesmanship intimately knows the Union soul. Statesmanship seeks to revitalize the declining health of the Union soul by prudently reordering it toward the fulfillment of its purpose established at its birth – the American founding – toward the principle of equal liberty for all. Though Douglas wanted to save the Union through the Kansas-Nebraska Act, his policy of popular sovereignty, by reducing slavery from a moral question to a mere democratic preference, mistakenly disordered the Union's soul. Douglas wanted to save the Union body; the physical diversity created by diverse laws and diverse conditions. Lincoln wanted to save the Union's soul; the natural form that conveys justice for all human nature, thus making the Union worthy of saving.

The practice of slavery is ancient as man. For thousands of years, the habitual practice of slavery seemed quite natural. Today, the temptation is to attribute slavery to external factors such as culture. Yet for Lincoln, who understood the nature of souls; the nature of man, slavery was a malignant error found in the soul's crevices. Lincoln did not attribute slavery to external factors; he looked at the internal source of man's nature, the source of his culture. To better explain, Lincoln said, "Slavery is founded in the selfishness of man's nature." Slavery and selfishness are equally innate in men. Selfishness is a natural error, slavery is pure selfishness. "Opposition to [selfishness] is his love of Justice," says Lincoln. Love of justice is a natural virtue also found in man. Lincoln understood an intermediary existed between selfishness and love of justice that combated selfishness and allowed for moral restraint. For Lincoln, moral reasoning was this intermediary allowing a person to prudently weave his way through his imperfections. When men committed moral errors, a collision between selfishness and justice occurred, thus throwing their souls into convulsions. A man who loves justice prac-

tices moral restraint, indeed seeks to strengthen his moral restraint, in order to avoid his soul's convulsions. These characteristics are found in abundance in every man's soul. Moral reasoning is so plainly found in man's nature, even in insignificant circumstances, all people have the natural ability to use moral reason to help choose between right and wrong.

Douglas was trying to find a way to keep Nebraska free until a territorial government could form. Unfortunately, Douglas's Kansas-Nebraska Act proved his ignorance to the innate connection between the soul and moral reason. Popular sovereignty's ignorance to moral restraint and the absolute promotion of legal sanction was the basic source of division between the pro-slavery and anti-slavery factions in Kansas. This basic source of division in popular sovereignty guaranteed choice, but never guaranteed justice. The Kansas-Nebraska Act guaranteed law based on rule of force, not on justice arrived at through moral reasoning. Douglas assumed Americans had the right to democratically choose, but failed to promote a moral restraint which secured that right. Ultimately, Douglas assumed men could decide between selfishness and justice, but did not allow moral restraint and consequently little reflection on whether securing slavery was the same as to securing justice.

Popular sovereignty's lack of moral restraint mistakenly secured armed conflict rather than justice. During his Peoria Speech, Lincoln tells how some Yankees in the east were quickly sending immigrants to Nebraska for the sole purpose of excluding slavery from it. Missourians, in Lincoln's own words, "being only a stone throw away", were making provisions to protect slavery in Nebraska while promising to drive out or hang opposing abolitionist Yankees. Lincoln asks powerful questions: "Through all this, Bowie-knives and six-shooters are seen plainly enough; but never a glimpse of the ballot-box...Could there be a more apt

invention to bring about collision and violence, on the slavery question, than this Nebraska project is? And if this fight should begin, is it likely to take a very peaceful, Union-saving turn? Will not the first drop of blood so shed, be the real knell of the Union?" Lincoln feared that the lack of moral restraint was bringing a factional war into these territories where securing self-preservation and peace would be more important than securing reflection and choice. In the wake of seeking justice, before a civil community was even attempted, radical factions would destroy the moral fabric individuals needed in order to join a civil society by wild lawless action. Whoever had the most force to secure self-preservation and peace would have the absolute power to do as they pleased, in whatever manner, and this would be considered justice. This impelled any faction to deny the validity of the territorial government and to set up a rival government of their own which would divide the people of Kansas into even more hostile camps. Lincoln feared this would be the local destruction of moral fabric in the early stages of community; the real knell of the Union.

Douglas believed democracy in the form of popular sovereignty was the salvation of the Union, but he did not understand the purpose of democracy in light of the Union soul. He hoped to end factional conflict by taking the slavery question out of national politics and leave it to local democratic communities. Instead local communities also sprang into factional conflict. Hence, division in Nebraska and the division of the Union are analogous, not because proslavery and antislavery factions failed at democracy, but because they failed at moral restraint. On a national scale, the Missouri Compromise was a moral restraint between selfishness and justice. The repeal of this restraint meant convulsions of paranoia and vengeance. "The South flushed with triumph and tempted to excesses; the North, betrayed, as they be-

lieve, brooding on wrong and burning for revenge," explains Lincoln. "Already a few in the North, defy all constitutional restraints, resist executions of the fugitive slave law, and even menace the institution of slavery in the states where it exists." That moral restraint which brought unity and peace is no longer prevalent in the Union's soul. With the 1820 Compromise repealed, pro-slavery and anti-slavery factions are sure to pursue their own interests with full vigor.

The Rise of Statesmanship

Statesmanship seeks to restore order and moral restraint to the Union soul in principle and practicality. If practicality is not immediately possible, statesmanship first seeks to restore order in principle. Lincoln said, "The Missouri Compromise ought to be restored. For the sake of the Union, it ought to be restored." He knew restoring the Missouri Compromise was restoring a physical restraint to bring back the national faith, and the national feeling of concession and brotherhood needed to move towards the Union's righteous purpose. Restoring the Missouri Compromise would be principled restoration. This act, "Great in its spirit, and great in its effect," would prove to be an act of concession and a yield a golden republican principle: to rule and be ruled in turn. This rule, once restored, would create conditions where the dissatisfied consented to be ruled not only because they trusted the ruling, but because they could one day rule in turn. The practical and physical restoration of a national law by a moral sacrifice made between two factions would reassure a republican principle. As Lincoln says, it "would be worth the nation a hundred year's purchase of peace and prosperity." This moral sacrifice between two factions would lead to a physical and practical restoration of a moral restraint, and would temporarily reorder the

internal chaos needed to make the golden republican principle possible.

In politics, restoring principle is extremely difficult; it is easier to make short and practical restorations. Yet when a practical restoration is not possible, then the harder and more prudential restoration of principles is needed. Statesmanship is skillfully seeking the prudential restoration of principles through conventional means. One way to restore principles is to appeal to or change the convention of popular sentiment. As Lincoln notes, “But even if we fail to technically restore the Compromise, it is still a great point to carry a popular vote in favor of the restoration.” Because statesmanship is concerned with restoring moral restraint and order to the Union soul, a unified popular sentiment against a policy which justifies selfishness and slavery is crucial for restoring the national feeling of concession. Since popular sovereignty reduces slavery to a mere preference, showing how popular sentiment does not endorse this type of moral reduction is an immense weight in favor of good morality – one that Lincoln says “cannot be estimated too highly.” A national popular sentiment in favor of the restoration of the Missouri Compromise is an endorsement against popular sovereignty which prudently tips the moral weight in favor of the Missouri Compromise while covertly attacking the principle of popular sovereignty.

Conventional authority or national sentiment, however, is a political tool used both by politicians and statesmen for the establishment or disestablishment of practical policy or principles. Lincoln could have appealed to national sentiment simply for the practical restoration of the Missouri Compromise. However, he knew restoring principle far outweighed the mere restoration of practical policy, because while practical policy governs temporal use, principles govern future policy use. In politics, consecutive practical policies are made to appeal to popular sentiment in order to establish an artificial

doctrine. The battle between Lincoln and Douglas for the title of statesmanship is a battle for who can establish or reestablish not merely artificial doctrines by appealing to national sentiment, but who can appeal to national sentiment to establish truly just doctrines for future use.

Although the repeal of the Missouri Compromise was the current policy under debate, Lincoln knew Douglas’s main goal was to appeal to the national sentiment in order to establish popular sovereignty as a doctrine; a principle for future policy use. Lincoln knew Douglas’s practical policies of New Mexico, Utah and now the Kansas-Nebraska Act, were consecutive policies meant to establish policy precedent. Lincoln recognized Douglas’s motives and said, “The future use is to be the planting of slavery wherever in the wide world, local and unorganized opposition cannot prevent it.” If national sentiment endorsed popular sovereignty for local communities to democratically choose despotic selfishness disguised as a matter of mere preference, then popular sovereignty may be accepted anywhere the national sentiment of the majority decided for the best interest of the minority. A hypothetical appeal to the popular sovereignty precedent would affirm how indeed national sentiment had always advocated for slavery anywhere. Lincoln had to persuade popular sentiment to his side. Therefore, as Lincoln says, “let no wheedling, no sophistry divert you from throwing a direct vote against it.” If Lincoln could persuade the national sentiment away from popular sovereignty, he could prevent the doctrine of popular sovereignty from becoming precedent.

Keeping in mind that popular sentiment is a conventional authority, in the American republic, where the majority rules, national sentiment is everything. Political factions, believing one can best interpret national sentiment better than the other, form in times of peace to fight for national approval. The goal of a faction is to win. The

nature of a faction is to peruse partisan self-interest. Lincoln agrees: “A free people, in times of peace and quiet – when pressed by no common danger – naturally divide into parties. At such times the man who is of neither party, is not – cannot be, of any consequence.”²⁶ Political factions usually debate over practical solutions to specific problems burdening the nation’s interest. Because the general public more readily understands the language of practical utility than the abstract language of principles pertaining to the Union’s soul, a statesman who is of principle rather than simply practical utility dares not deviate from a party. Such a statesman confines himself to a political faction; he would rather be a partisan politician, because the opportunities of influencing practical policies to embrace principle are more obtainable for him. Hence, he seeks to convey principle through convention. Because the nature of factions is diverse in its partisan pursuit of self-interest, statesmen who wish to influence principle in policy actually wants to be of consequence, the skill of statesmanship is tempered for the sake of the faction’s public approval, hence losing the power to act in the nation’s interest. In these normal political situations statesmanship is extremely rare.

When a statesman is motivated by a calling to reorder to the Union soul towards its founding principles of human liberty and justice, the statesman must always consider with great importance the nature of the political factions he will naturally partake in. In the course of restoring the Missouri Compromise, Lincoln considered the nature of the political factions he had to work with when he said: “Some men, mostly Whigs who condemn the repeal of the Missouri Compromise, nevertheless hesitate to go for its restoration, lest they be thrown in company with the abolitionists.” Because the Whig faction, fearing to be considered equally

radical to the abolitionist faction and consequently losing its national sentiment and national power, it hesitated to go for the restoration of the Missouri Compromise. Whigs would rather play partisan politics than restore order to the Union. To this type of partisan politics, Lincoln, says to partisan politicians, “will they allow me as an old Whig to tell them good humoredly, that I think this is very silly?” Here was a Whig faction who did what was in its own best interest, but ultimately failed to understand the urgency in restoring Union spirit back to its original and righteous principles. In a practical way, partisan politicians are not statesmen because it is not in their interest to step outside partisan lines. A statesman, keeping the righteous ends of human liberty in mind, finds it in interest of the Union, not in the interest of himself, to step outside partisan lines.

Lincoln’s Statesmanship

Simply stepping outside partisan lines for transient causes does not necessarily make skilled statesmanship. Statesmanship, rather, knows that there must be an abstract and moral reason to end of politics. Stephen Douglas, seeming quite statesman-like, worked with southern disunionists and northerners who were largely indifferent to slavery to pass the Kansas-Nebraska Act. With Stephen Douglas, however, practical intelligence did not depend upon the righteous philosophical understanding of the ends of politics for he did not truly believe in human liberty for all or the elevation of the oppressed everywhere, which ought to animate the very soul of the Union. While statesmanship’s practicality and principles of justice never stand alone, Douglas’s simple understanding that popular sovereignty and local laws absent of morality could stabilize America, stood far apart from securing justice.

²⁶ Eulogy of Henry Clay, July 6, 1852.

In the realm of politics, it is hard to pin-point a time where moral judgment and moral authority play a key role in policy. Douglas, like many skilled politicians, knew practical knowledge comes through the experience and habit of pursuing one's interest. Such pursuit is governed by customary rules established by compromise, concession, and politics between conventional factions. It is difficult, then, not only to pin-point laws not based on interest, but laws emanating from moral authority and statesmanship. Statesmanship, rather than compromise between factions, is hard to notice because statesmanship is not found solely in the realm of politics. Statesmanship lives in the realm of moral judgment and merely works within the realm of politics.

When Lincoln says: "Stand with anybody that stands RIGHT. Stand with him while he is right and PART with him when he goes wrong. Stand WITH the abolitionist in restoring the Missouri Compromise; and stand AGAINST him when he attempts to repeal the fugitive slave law." Lincoln challenges persons to step outside their own pursuit of self-interest and make a moral sacrifice of their own. Lincoln is speaking about a moral judgment applied to partisan politics. Lincoln sees the goal of the abolitionist faction is banning slavery, and his goal is human liberty. While both may seem equally the same, human liberty is a principle and applies to many forms of human oppression, while banning slavery is temporal and applies to the circumstantial slavery of the time. Statesmanship stands with the abolitionist faction when the faction's temporal interest moves towards endorsing a Union-saving principle. Because the moral reason of a statesman is not grounded in partisan politics, he can see abolitionists wish to achieve a moral end, but are too imprudent to achieve any temporal and liberating act. In this particular case, repealing the fugitive slave law would do more damage than good to the goal of human liberty by agitating the southern

disunionist faction threatening to leave the Union.

This same objective and moral judgment, free from practical and partisan politics, allows statesmanship to take a larger view of a faction's appeals to its own interest. The statesman does this in order to achieve the philosophical ends of human liberty and justice. It is this moral judgment which allows a statesman to stand vigilantly against whatever might have the slightest tendency to destroy the Union he seeks to save. Hence, Lincoln says, "In the latter case you stand with the southern disunionist. What of that? You are still right. In both cases you are right. In both cases you oppose [expose?] the dangerous extremes." In both occasions, statesmanship shows the quality of carefully surveying every part of the field and weighing every conflicting interest. One faction tries splitting the Union for the sake of moving toward slavery, the other for the sake of ending slavery. But in both cases, statesmanship keeps both factions from agitating each other. After all, it is their partial temporal interests these factions are most concerned with, not the Union soul. Therefore, the skill of statesmanship keeps both factions at bay, thus keeping alive the philosophical ends of justice and human liberty.

It may still be difficult to see how a man can have the political skill to hold two extreme factions at bay while maintaining the ends of politics i.e. keeping the principles of the Union soul alive. For those who needed to see in order to believe, Lincoln writes the Eulogy of Henry Clay, written in 1852 (two years prior to Lincoln's 1854 Peoria speech). Through Henry Clay's Eulogy, Lincoln shows the rare human embodiment of statesmanship. Within two years after writing the eulogy, Lincoln still has Clay's statesmanship in mind. Indeed, Lincoln does his audience the favor of reintroducing Henry Clay, his "beau ideal of a statesman," to show that statesmanship is possible in politics.

In his 1854 Peoria speech, Lincoln subtly introduces Henry Clay's statesmanship and the skill of statesmanship in general. As Lincoln says, "In both cases, you stand on middle ground and hold the ship level and steady. In both you are national and nothing less than national. This is good old Whig ground." Lincoln's Peoria quote and Lincoln's Eulogy to Henry Clay have parallel ends. Lincoln's Peoria quote describes political prudence, while Henry Clay's Eulogy provides the core principles of the Union soul. For Lincoln, Henry Clay's spirit is the spirit of the Union. Clay's statesmanship was concerned with the Union's soul because Henry Clay's soul was an extension of the Union's soul. The internal motions of his community and of his nation affected him as his own. Clay's moral judgment, unbound to practical and partisan politics, never deviated from human liberty even in the midst of politics. This abstraction takes physical form when Lincoln describes Henry Clay as follows: "[He] loved his country partly because it was his own country, but mostly because it was a free country; and burned with a zeal for its advancement, prosperity and glory, because he saw in such, the advancement, prosperity, and glory of human liberty, human right and human nature." A decent politician loves his country and wishes to see its advancement because he loves how good his country *is*, and not what makes or what ought to make his country good. A decent politician's vision is temporal and physical because what makes his country good *is* temporal and physical. A statesman like Clay, however, "desired the prosperity of his countrymen partly because they were his countrymen, but chiefly to show to the world that freemen could be prosperous." Clay's desire, however, was perpetual and substantial advancement of a principle that he hoped would live longer than his mere temporal body. The Combination of Lincoln's Peoria speech and Henry Clay's Eu-

logy shows how all efforts made by statesmanship's limited earthly prudence and moral restraint were to affect and advance morality in human liberty, human right and human nature found in the Union's soul.

Lincoln understood that statesmanship and freedom were rare and fragile; no more than a generation away from extinction. Lincoln's Eulogy of Henry Clay represents how a statesman's love and advancement of morality in humanity is limited by death, but also, how the prudential advancement of morality and principle of statesmanship echoes beyond his grave. Keeping the limitations of death and the advancement of principle beyond the grave in mind, statesmen desire not only to save, but to immortalize the moral Union principle of human liberty for all – not simply because all men are equally capable of being free, but because all men are capable of advancing in freedom while life permits.

Lincoln believed the immortality of the Union soul depended on the moral actions of the living. His faith claimed that morality and freedom, and morality and statesmanship, always stood together. It was morality that allowed moral restraint in man, and prudence in statesmanship. The Kansas-Nebraska Act, however, ironically called a "sacred right," held morality and freedom separate: it was not immoral for one man to enslave another. In regards to statesmanship, the Act professed that justice was separate from moral restraint; hence justice was subject to the will of anything sovereign. Such a sovereign with this despotic sense of justice, Lincoln thought, "is to be the chief jewel of the nation – the very figure-head of the ship of State." According to the Kansas-Nebraska Act's popular sovereignty, the desire for the living not only to save, but to immortalize the Union principle of human liberty for all was being abandoned. "Little by little," says Lincoln, "but steadily as man's march to the grave, we have been giving up the OLD for the NEW faith."

Within this context morality and death, Lincoln reiterates that the salvation of the Union is found in the moral actions of the living. With the intent of igniting the moral fiber of his audience, Lincoln seems to reiterate Scripture (“Be not deceived: evil communications corrupt good manners,”)²⁷ when he says, “Let no one be deceived. The spirit of seventy-six and the spirit of Nebraska are utter antagonisms; and the former is being rapidly displaced by the latter.” Lincoln reminds his audience how it is in their own authority to act with righteousness. It is their natural right to advance principle beyond their grave. With the salvation of the Union being in the moral reason of the people, salvation of the Union is nearer than first believed.

Lincoln’s faith, that all men are capable of the moral judgment and moral restraint that are necessary for self-government, and his goal to persuade men to believe they hold the moral authority to save the Union, is fully revealed in his following words: “Fellow countrymen – Americans south, as well as north,” counsels Lincoln, “our republican robe is soiled, and trailed in the dust.” Our Union is worthy of the saving, but cannot be saved until our Union soul is restored to its proper principles of human liberty for all; until our own selfishness is restrained by morality. Let us save the Union: “Let us repurify it. Let us turn and wash it white, in the spirit, if not the blood of the Revolution.” To do this requires the spirit of Henry Clay, of statesmanship: “the deep devotion to the cause of human liberty-and a strong sympathy with the oppressed everywhere, and an ardent wish for their elevation.” Let us turn slavery and despotic selfishness away from being a “sacred right,” an immortal principle with claims to our Union soul. Turn slavery back to its conventional legality and its original tendency toward an eventual death, the direction our

Fathers gave it. Let us readopt and reorder our Union soul according to that “predominant sentiment” in our Declaration of Independence, and with it, towards the advancement of human liberty, human right, and human nature. Like Henry Clay, who was vigilant of the slightest tendency to rip our Union soul, “let north and south – let all Americans – let all lovers of liberty everywhere – join in the great and good work.” And not simply love one another because we are Americans, but to show to the world free men can be prosperous. By reordering and healing our troubled souls from our own despotic selfishness and advance the principles of liberty with practical effect we can save the Union soul from the despotic selfishness of slavery. Only this way can a republic eliminate slavery and forever keep it from returning.

The understanding that statesmanship’s advancement of morality in humanity, and the authority vested in the republican majority to save the Union by living by its righteous principles, are both naturally limited by death provides a further premise favoring Lincoln’s statesmanship while disapproving of Stephen Douglas’s. Stephen Douglas assured popular sovereignty gave local republican majorities the authority to ban slavery, but failed to understand the need to perpetuate the principles of freedom. Because popular sovereignty never firmly advocated moral right and never firmly advocated moral wrong, popular sovereignty authorized future republican majorities to reinstitute slavery once statesmen and people who governed by moral restraint were dead. This means that if the Kansas-Nebraska Act saved the Union once, it only saved it temporarily.

Lincoln’s statesmanship, however, takes into consideration not only the immediate saving, but provides for the keeping of the Union once saved. Lincoln’s statesmanship is a combination of morality and politics, but moreover, it is an authority seek-

²⁷ 1 Corinthians 15:33.

ing to invigorate America's moral reason. Lincoln's faith is in the ability for living republicans to practice a moral life apart from slavery. Advancing the principles of human liberty is at the foundation of his statesmanship. Lincoln's faith is reiterated later in his presidency when he says: "It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining for us..."²⁸ Statesmanship, then, is an authority and a constant guide within the living moral fabric of a republic. Unlike Douglas, Lincoln connects with the Union soul. He is only a part of the greater morality of a republican people who work together to keep any form of slavery from tormenting the Union soul. "If we do this," Lincoln reiterates, "we shall have saved the Union; but we shall have so saved it, as to make, and to keep it, forever worthy of the saving."

CONCLUSION

The debates between Abraham Lincoln and Stephen A. Douglas are best appreciated if viewed as two skilled physicians seeking to save a dying patient. The patient, being the Union, was defective because it was not fulfilling the purpose for it was created. Between 1854 and 1858, when Stephen Douglas was at his prime and the name of Abraham Lincoln was a mere expression, the wise dialogue about the salvation of the Union body and soul occurred between these two men; and that adds a special heroic significance between them.

Lincoln and Douglas agreed the Union needed to be saved. Both wanted to end slavery, but both disagreed on how severely slavery affected the Union's health. Both wanted to save the Union, but each had

a different understanding of Union. For Douglas, the Union meant democratic integrity. Douglas disapproved of slavery only when it undermined the Union's democratic integrity. Douglas believed removing slavery from national politics would save the Union's democratic integrity. Douglas proposed popular sovereignty which authorized unfranchised majorities to either dissolve, or involve slavery in the creation of their towns. By doing so, Douglas thought he was saving democracy and the Union by allowing local communities the right to practice democracy and slavery in the early stages of settlement.

Lincoln also believed the Union's integrity was important. For Lincoln, however, the Union's integrity meant keeping its promise for justice and human liberty to all; the purpose for which the Union was created. Lincoln believed slavery was a contradiction to the Union's founding purpose. The Union was established for the salvation of humanity at a time where humanity's only option was government despotism and human slavery. Lincoln disagreed with Douglas on the meaning of Union and democracy because he did not believe, as Douglas did, that free people had the right to put their eternal salvation to a vote. Douglas's democracy placed good and evil before man allowing him to choose and be responsible for his choice. By choosing to introduce slavery where it did not exist, democracy was introducing an evil contrary to the purpose for self-government: self-government was sacred not only because it rejected slavery, but because it promised to never return to slavery once saved from it.

The dialogue between Lincoln and Douglas, the salvation of the Union body and soul, intrigues political philosophers, but this same dialogue nonetheless captivates practical political enthusiasts who consider the realm of practical politics in which the dialogue occurred. While Lincoln and Douglas were debating on how to end slavery and

²⁸ Address Delivered at the Dedication of the Cemetery at Gettysburg, November 19, 1863.

save the Union, seismic shifts in coalitions, congressional caucuses, and national parties were occurring. After 1854, for example, Douglas found himself constantly defending popular sovereignty not only against anti-slavery men such as Lincoln, but against northern and southern Democrats of his own party. In 1858, Douglas led northern Democrats and many Republicans against Southern Democrats to show popular sovereignty could mean slavery exclusion as well as slavery extension.²⁹ During 1854 to 1858, Douglas vigorously defended his principle of popular sovereignty while Lincoln vigorously defended his principle of “Liberty to all” against ruthless politicians on all sides.

In 1854, because of the Kansas-Nebraska Act, apart from being a highly philosophical speech, Lincoln’s speech on the Repeal of the Missouri Compromise had a practical effect. The Kansas-Nebraska Act caused a seismic shift in the Whig and Democratic parties. The Act was at the epicenter of a Congressional shift which sent hundreds of free-falling politicians toward new political platforms. It shattered the Whig Party into nativist, antislavery, and pro-slavery factions. It loosened the Democratic Party into anti-Kansas-Nebraska Act Democrats. Lincoln rushed in, met the argument, and took the bull by the horns by providing free-falling politicians a new political philosophy. When Lincoln said he wished to be “no less than national in all the positions,” he sought to clean up the stunning array of Democrats and shards of broken Whiggery. Lincoln’s speech had such appeal because it was philosophical and practical in nature. Lincoln’s Peoria speech was eloquent and effective. It welcomed disarrayed politicians to his political philosophy.

Lincoln is a statesman because it was during intense shifts of party factions and ruthless politics that he proved his statesmanship was ingrained in his nature before

becoming president. His statesmanship and his understanding of Union cultivated the moral reason, the virtue, and the nationalism needed for the long haul. Unlike the Civil War, where Constitutional war powers were granted specifically for war and his statesmanship was limited to the effect of Commander-in-Chief, Lincoln’s statesmanship in the normal realm of politics invigorated the life of the Union soul. After becoming president, it was his statesmanship ingrained in his nature that allowed him to keep Delaware, Kentucky, Maryland, and Missouri from seceding. When Constitutional war powers were granted to him, it was his statesmanship that kept him from excessive Constitutional force. If Lincoln had not been a statesman prior to his presidency, the Civil War would have killed the Union soul he proposed to save in 1854.

A New Order for the Ages

It is worth considering whether the debates between Lincoln and Douglas apply to contemporary politics. American citizens long for statesmanship while asking whether America will produce another Lincoln. To answer this question we must approach our American history with honesty. Contemporary scholars make the mistake of viewing American history through the lens of contemporary life. The mistake is made by believing that instead of the past helping us to understand the present, the present is more useful for understanding the past.

Unfortunately viewing history through contemporary social experiences only allows a partial understanding of history. Contemporary experiences are so far removed from history that it becomes impossible to understand the morality and character of many great men. Contemporary social sciences ignore that the question of what America ought to do about slavery was a moral question. Or that what Lincoln was most concerned with was the Union’s moral character. In con-

²⁹ *The Impending Crisis*: ch. 13; pg 328.

temporary politics, politicians are no longer concerned with the Union's moral character, only with the Union's purpose.

Instead, contemporary politics asks for statesmanship while rejecting political philosophy and morality. For example, if a certain philosopher were to argue that abortion is immoral, his argument would be considered unreasonable regardless of the argument's qualifications. Moral questions in these areas are so hotly contested that moral authority is rejected because it is believed there is no conventional experience moral authority can depend on. In other words, popular sentiment has no morality to depend on. Thus, moral authority is utterly rejected, and conventional authority is absolutely accepted by popular masses.

Ironically Douglas used his own contemporary premise to attack Lincoln's moral arguments. Lincoln argued slavery was eternally wrong because it went against a universal God given principle. Douglas attacked Lincoln's "divine law" because as Douglas understood, it was not founded on man-made (conventional) authority. Popular sovereignty removed the hotly contested moral question of slavery from Congress on the idea that morality did not have its own authority. Morality was rather dependent on the absolute conventional authority of a local majority.

The rejection of moral authority in politics over the undeniable acceptance of conventional authority leads to ruthless pragmatism; it leads to popular sovereignty. It leads to a political philosophy which relies on the mere acceptance of conventional authority and an immoral sentiment rather than a moral reason which firmly decides whether America is doing right or wrong. Consequently, statesmanship equals to the creation of pragmatic laws based on the shared acceptance of a majority. Such laws are considered just, but are void of morality, right, and the natural justice. Because contemporary poli-

tics rejects morality, America finds itself on the path to declaring Douglas the true statesman. If our contemporary democracy denies moral principle while accepting purely conventional principle then Douglas is the statesman, and our democracy is his democracy. Consequently our Union has no authority other than force.

Fortunately, Lincoln defeated Douglas and deserves to be called a statesman because he acted, studied, and understood the body and soul of the Union he was trying to save better than Stephen A. Douglas. Statesmanship applies to contemporary politics the same way it applied in 1854: Lincoln did not solely argue on moral principle. Although his prudential rhetoric never stood apart from moral principle, his statesmanship injected moral principle into conventional wisdom. Lincoln knew the soul of the Union was a universal principle closely tied to the human heart: "Liberty to all," was that universal principle worth saving. Yet he persuaded the majority to accept moral principle. Douglas had no interest in saving such abstractions.

Lincoln's principle affirmed that Union gave a chance for the weak to grow stronger, the ignorant wiser; and all better, and happier together. Douglas's principle affirmed some men deserved mere privileges granted by government, and did not care for man's eternal elevation and happiness. Lincoln is a statesman because he succeeded in persuading conventional wisdom to affirm the existence of a universal principle. Douglas denied the existence of a universal principle while only affirming the authority of conventional wisdom. Douglas's Union was equal to most governments. Lincoln's Union was a new order for the ages.