

“Minnows, Spies, and Aristocrats:
The Social Crisis of Congress in the Age of Martin Van Buren”

Paper to be presented in a briefer form at the
Society for Historians of the Early American Republic annual meeting,
Providence, R.I.
July 23, 2004

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Date: Mon, 19 Jul 2004 10:52:39 -0400

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My fellow panelists:

With some trepidation, I attach a new iteration of the document from which my presentation Friday will be drawn. I sent Andy an earlier version a couple of weeks ago. Apologies for coming in so late and long and speculative. Turns out trying to do a real paper while holding an AAS fellowship with family in tow is not a very workable scenario. (To give you an idea of what I am up against, in an effort to keep my homesick children occupied this past weekend, we took them to beach and southern Vermont in two trips on two consecutive days.) The document you are receiving is best described as an exploration of the themes and perspective of a potential sequel to Tyranny of Printers, which is actually not what I am primarily working on here at AAS. The verbal presentation will just summarize the major points I make here.

Thanks for your patience,
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The Jacksonian era's reputation as the "Age of the Common Man" has been a dead letter, historiographically speaking, since at least the 1960s, when political historians such as Lee Benson and Edward Pessen, working in tandem with then-new labor and social historians, began to shred it from multiple angles. We can now say with some certainty that the "common man" did not rise to political power with Jackson; nor did common men and women fare as well economically and socially in this period as historical mythology had long suggested.¹ While the rags to riches stories recently highlighted by Joyce Appleby² were real enough, they were far from the typical mid-19th century experience. This was a time when the rich were getting much richer, upward mobility through the old craft system was becoming only a fading memory in many trades, and the barriers of race and gender were not yet coming down (or got higher than ever): "Far from being an age of equality," Pessen wrote, "the antebellum decades featured an inequality that surpass[e]d anything experienced by the United States in the twentieth century."³ Democratization in the Jacksonian era has continued to have its defenders, but even they tend to resort to words like "polyarchy" or "*embourgeoisement*" in describing what looks more like a widening or elaboration of the leadership class than the sort of revolutionary change that readers of Arthur Schlesinger, Jr. and Frederick Jackson Turner might have expected.⁴ At least some of the literature makes a better case for a

¹ Lee Benson, *The Concept of Jacksonian Democracy: New York As a Test Case* (New York: Atheneum, 1967); Douglas T. Miller, *Jacksonian Aristocracy: Class and Democracy in New York, 1830-1860* (New York: Oxford University Press, 1967); Edward Pessen, "The Egalitarian Myth and the American Social Reality: Wealth, Mobility, and Equality in the 'Era of the Common Man,'" *American Historical Review* 76 (1971): 989-1084; Edward Pessen, *Riches, Class, and Power: America Before the Civil War*, 2d ed. (New Brunswick, N.J.: Transaction, 1990); Edward Pessen, *Jacksonian America: Society, Personality, and Politics* (Urbana: University of Illinois Press, 1985). Given the relative decline of "social mobility" as a focus of historical research since the 1970s, Pessen's anthology *Three Centuries of Social Mobility in America* (Lexington, Mass.: D.C. Heath, 1974) is still a reasonably good place to begin exploring this literature.

² Joyce Appleby, *Inheriting the Revolution: The First Generation of Americans* (Cambridge, Mass.: Harvard University Press, 2000).

³ Pessen, "Egalitarian Myth," 1027.

⁴ Sean Wilentz, "On Class and Politics in Jacksonian America," *Reviews in American History* 10 (1982): 45-63; Sidney H. Aronson, *Status and Kinship in the Higher Civil Service: Standards of Selection in the Administrations of John Adams, Thomas Jefferson, and Andrew Jackson* (Cambridge, Mass.: Harvard University Press, 1964); Whitman H. Ridgway, *Community Leadership in Maryland, 1790-1840* (Chapel Hill: University of North Carolina Press, 1979).

significant shift after Jefferson's Revolution of 1800 than it does for the traditional Jacksonian benchmark of 1828.⁵

As went American society, so went Congress. In statistical, demographic terms, there is little evidence to suggest that the socioeconomic composition of Congress has ever changed more than incrementally. "Glacial" is the precise word used in the 1976 study by Allan Bogue and colleagues that focuses most tightly on this issue. One aspect of the antebellum Congresses that they did identify might well be considered an indicator of reverse democratization: the decades between Jackson's election and the Civil War saw a record percentage of lawyers sitting in the national legislature, between 63 and 66% of the entire membership in any given Congress.⁶

Yet there is a problem with simply dismissing the idea of political democratization in the 1830s: way too many people complained about it. The bitter comments of famous diarists such as Philip Hone and John Quincy Adams about the democratic excesses of the era are well-known. William Dunlap believed that electioneering had driven one of his friends insane.⁷ The Jacksonians' defeated opponents were pushed almost to madness. "It cannot be that our free nation can long endure the vulgar dominion of ignorance and profligacy," said Nicholas Biddle, licking his Bank War wounds before an audience of fellow Princetonians. He hoped they would all live to see "these banditti . . . scourged back to their caverns."⁸

The detestation of the American upper classes for universal (white male) suffrage and the resulting rowdy election campaigns was a constant theme of the many European travelers who

⁵ Paul Goodman, "Social Status of Party Leadership: The House of Representatives, 1797-1804," *William and Mary Quarterly*, 3d ser., 25 (1968): 465-474; Appleby, *Inheriting the Revolution*; Howard B. Rock, *Artisans of the New Republic: The Tradesmen of New York City in the Age of Jefferson* (New York: New York University Press, 1984); Jeffrey L. Pasley, "1800 as a Revolution in Political Culture: Newspapers, Celebrations, Democratization, and Voting in the Early Republic," in James Horn, Jan Ellen Lewis, and Peter S. Onuf, eds., *The Revolution of 1800: Democracy, Race, and the New Republic* (Charlottesville: University of Virginia Press, 2002), 121-52.

⁶ Allan G. Bogue, Jerome M. Clubb, Carroll R. McKibbin, and Santa A. Traugott, "Members of the House of Representatives and the Processes of Modernization, 1789-1960," *Journal of American History* 63 (1976): 275-302.

⁷ Carl E. Prince, "The Great 'Riot Year': Jacksonian Democracy and Patterns of Violence in 1834," *Journal of the Early Republic* 3 (1985), 3-4.

⁸ Nicholas Biddle, *An Address Delivered Before the Alumni Association of Nassau-Hall, on the Day of the Annual Commencement of the College of New-Jersey, September 30, 1835*, 3d ed. (Princeton: R.E. Hornor, 1835), 20.

published books on America in this period. Captain Frederick Marryat, whose outspokenness earned newspaper attacks and burning effigies during his travels, was among the most strident on this point:

No high-minded consistent man will now offer himself, and this is one cause among many why [foreign writers] have not done real justice to the people of the United States. The scum is uppermost, and they do not see below it. The prudent, the enlightened, the wise, and the good, have all retired into the shade, preferring to pass a life of quiet retirement, rather than submit to the insolence and dictation of a mob.⁹

While Marryat, Thomas Hamilton, Alexis de Tocqueville, and Michel Chevalier sympathized with this attitude, Harriet Martineau chided the American elites for their aristocratic defeatism. Francis J. Grund (an immigrant rather than a tourist) lampooned it as a pose. Regardless of their individual take on it, almost all the travel narratives I have read took note of the rampant democracy in Jacksonian America and the widespread genteel aversion to it.¹⁰ “Wealth and intelligence are compelled to bend to poverty and ignorance, --- to adopt their prejudices, --- to copy their manners, -- to submit to their government,” Hamilton complained. “In short, the order of reason and common sense is precisely inverted; and while the roots of the political tree are waving in the air, its branches are buried in the ground.”¹¹

Reading through the old historiographic controversies over Jacksonian Democracy, it is easy to get the impression that this phenomenon was invented by Frederick Jackson Turner or Arthur Schlesinger, Jr. In fact, the travel narratives and other contemporary sources show that it was common table talk as the events themselves were unfolding, usually from a disapproving perspective. Here’s Captain Marryat again:

⁹Frederick Marryat, *A Diary in America, With Remarks on Its Institutions*, ed. Sydney W. Jackman (New York: Alfred A. Knopf, 1962), 438. The unabridged Marryat is available at <http://www.athelstane.co.uk/marryat/diaramer/diaru/diaru.htm>.

¹⁰ Harriet Martineau, *Society in America*, 3 vols. (London: Saunders and Otley, 1837); [Thomas Hamilton], *Men and Manners in America*, 2 vols. (Edinburgh & London: William Blackwood & T. Cadell, 1834); Michel Chevalier, *Society, Manners, and Politics in the United States*, ed. John William Ward (Ithaca, N.Y.: Cornell University Press, 1969); Francis J. Grund, *Aristocracy in America* (1839; New York: Harper & Row, 1959); Francis J. Grund, *The Americans in Their Moral, Social, and Political Relations* (Boston: Marsh, Capen, and Lyon, 1837).

¹¹ Hamilton, *Men and Manners in America*, 2:141.

It was not, however, until the presidency of General Jackson, that the democratic party may be said to have made any serious inroads upon the Constitution. Their previous advances were indeed sure, but they were, comparatively speaking, slow; but, raised as he was to the office of President by the mob, the demagogues who led the mob obtained the offices under government, to the total exclusion of the aristocratic party, whose doom was then sealed. Within these last ten years the advance of the people has been like a torrent, sweeping and levelling all before it, and the will of the majority has become not only absolute with the government, but it defies the government itself, which is too weak to oppose it.¹²

This view seems to have been fed to the travelers by their elite informants, many of whom were anti-Jacksonian politicians. (Henry Clay seems to have met and impressed them all.) Chevalier quoted Clay to the effect that, thanks to Jackson and his followers, the United States was “in the midst of a revolution.”¹³ The anti-Jackson columnist Matthew Livingston Davis, “The Spy in Washington,” was inclined to agree that “a mighty revolution was in embryo. . . . Are we treading on the verge of a volcano, whose flames are only smothered?”¹⁴

It may be that the “concept of Jacksonian Democracy,” like many other common historical terms, actually originates with its opponents. The Jacksonians themselves tended to see their party’s victory as a restoration of the Jeffersonian coalition ascendancy, the revenge of the true Democratic Republicans whose faith had been betrayed during the so-called Era of Good Feeling, rather than anything radically new. “Every State in New England,” growled New Hampshire editor and future Kitchen Cabinet member Isaac Hill, “is now governed by the same aristocracy that ruled in 1798.”¹⁵ Even Jefferson’s Revolution of 1800 was often considered a restoration of an original democracy established by the Declaration of Independence. As the Jacksonian-friendly Francis J. Grund put it,

¹² Marryat, *Diary in America*, 436.

¹³ Chevalier, *Society, Manners, and Politics*, 379.

¹⁴ “Spy in Washington,” *Morning Courier and New York Enquirer*, 14 October 1837.

¹⁵ Quoted in James Parton, *Life of Andrew Jackson* (New York: Mason Brothers, 1860), 2:182. The classic argument for the equivalency of the Jeffersonian Republican and Jacksonian Democratic causes is Martin Van Buren, *Inquiry into the Origin and Course of Political Parties in the United States* (1867; reprint, New York: Augustus M. Kelley, 1967). For the general accuracy of this view in Hill’s New Hampshire, see Donald B. Cole, *Jacksonian Democracy in New Hampshire, 1800-1851* (Cambridge, Mass.: Harvard University Press, 1970). Democrats were still occasionally using the adjective “federal” for their opponents in the 1830s and 40s.

“Democracy in America, [was] a *legitimate* and *historical* form of government” rather than the fearful innovation or failed experiment that other commentators of the time made it out to be.¹⁶

While Jacksonian rhetoric could be plenty hysterical, it was their critics, both contemporary and later, who tended to wax literally apocalyptic. Hence, according to James Parton, the relatively unknown and unimpressive names of the men Jackson appointed to his cabinet occasioned the “common remark of the time: ‘This is the millennium of the minnows.’” Theodore Roosevelt, an admirer of the Federalists and Whigs, quoted and endorsed the phrase, which was essentially a pejorative version of the same idea as the “era of common man.”¹⁷

I do not mean to claim that James Parton and Teddy Roosevelt were better historians than Lee Benson or Edward Pessen in terms of factual, sociological accuracy. They and the European travelers clearly took partisan claims of the time a bit too literally and showed themselves almost hypersensitive to signs of democratization; the fact that Jackson’s cabinet officers were simply not particularly famous men, rather than truly common, earned them the millennium of the minnows line. The revolutionary threat posed by an exaggerated Jacksonian Democracy, with Jackson as “the future dictator of the republic,”¹⁸ was one of Henry Clay’s favorite campaign talking points (and perhaps the original “message” of the Whig Party.

What I really do mean to claim, however, is that Parton and TR and the many newspaper writers and political orators and foreign travelers who perceived some sort of sociopolitical upheaval in the 1830s were probably not simply hallucinating. When one leaves aside the forced specificity of long-term prosopographical profiling and attends to the internal dynamics of life in the nation’s capital during the 1830s, there are many indications of a political culture in crisis, of a game whose participants no longer knew or intended to follow the rules.

¹⁶ Grund, *Americans in Their Moral, Social, and Political Relations*, 411, 404.

¹⁷ James Parton, *Life of Andrew Jackson* (New York: Mason Brothers, 1860), 2:179; Theodore Roosevelt, *Life of Thomas Hart Benton* (Boston and New York: Houghton Mifflin, 1887), 86

¹⁸ Grund, *Americans in Their Moral, Social, and Political Relations*, 410.

1.

The troubles had begun almost as soon as General Andrew Jackson took power, “reforming” the federal bureaucracy with a partisanship and a disregard for *some* existing social hierarchies that seemed quite new and threatening at the time. We know now that Jackson’s removals were neither as sweeping or as sociologically radical as they seemed, but the fear and disgust they inspired in the country’s and the capitol’s established elites was real and lasting. In Washington, many officials had been settled in place since Jefferson’s time, and their families had established an acceptably genteel social life with a reasonably stable pecking order. Jackson had them literally “quaking and trembling” in their boots, and the “mob” of “boys, negros, women, children” and officeseekers who tore apart his inaugural reception offered little reassurance.¹⁹

This riotous tableau was not an isolated incident, but apparently more or less the norm for presidential events during the Jackson presidency. Late in Jackson’s second term, English traveler Thomas Hamilton attended a presidential levee and found that “every trade, craft, calling, and profession” seemed to be represented, from judges and military officers down to farmers and “sooty artificers” fresh from work rubbing off some of their dirt on other guests’ clothing. The largest contingent of partygoers was a group of Irish canal laborers “who had evidently been apt scholars in the doctrine of liberty and equality, and were determined, on the present occasion, to assert the full privileges of ‘the great unwashed’” by “pushing aside the more respectable portion of the company.” Hamilton concluded accurately that to the self-styled “better order of Americans,” it was “painful that their wives and daughters should be thus compelled to mingle with the very lowest of people.”²⁰ The pain was doubled by the fact that political necessity often prevented the better orders from shunning the affairs as they might have wished: a certain amount of slumming was the price of being

¹⁹ Quotes from Gaillard Hunt, ed., *The First Forty Years of Washington Society in the Family Letters of Margaret Bayard Smith* (1906; reprint, New York: Frederick Ungar, 1965), 297, 295.

²⁰ Hamilton, *Men and Manners in America*, 2:134-41.

in good standing with the Jacksonians. The next president, Martin Van Buren, tried to propitiate respectable opinion by stationing guards at the door “to prevent the intrusion of any improper person” at presidential social events, but in doing so only opened himself to Whig charges in 1840 that he was too effete to be a popular American leader.²¹

Among the most controversial and successful of the officeseekers who thronged Jackson’s parties, and probably even made it past Van Buren’s guards, were the more than 70 Jacksonian newspaper editors who got jobs in his administration.²² While these journalists are better described as upwardly mobile strivers than horny-handed proletarians, they were nonetheless like many of Jackson’s appointees in coming from distinctly less august backgrounds than most earlier political leaders and officials.²³ Most of the editor-appointees had started their working lives as artisan printers, creating an association with manual wage labor that Jackson’s opponents constantly invoked in their attacks. This was partly the intention of calling Jackson’s coterie of advisors, which included several editors, a “Kitchen Cabinet.” To the self-styled “best” people of the early republic, the kitchen was a place for servants, not distinguished statesmen. Indeed, it seems that the more powerful and ubiquitous political editors became, the more the “better” elements hated them. Echoing seemingly every other travel narrative or memoir published in this period, Marryat reported that the most “injurious” and “mischievous” aspects of the American newspaper press flowed from “the violence of political animosity, and the want of respectability in a large proportion of the editors.” There were a few sophisticated editors in the large cities, but “the majority are disgraceful not only from their vulgarity, but from their odious personalities and disregard to truth.”²⁴ In his

²¹ Marryat, *Diary in America*, 156-57.

²² Except where noted, the discussion of the editorial appointments from here draws on Jeffrey L. Pasley, *The Tyranny of Printers: Newspaper Politics in the Early American Republic* (Charlottesville: University Press of Virginia, 2001), especially chapter 14, and the updates presented at <http://pasleybrothers.com/newspols>.

²³ Aronson, *Status and Kinship in the Higher Civil Service*.

²⁴ Marryat, *Diary in America, with Remarks on Its Institutions*, 406-407. Derision for American newspapers and editors can be found in most of the Jacksonian-era travel narratives and elite memoirs. See, for example, Frances Trollope, *Domestic Manners of the Americans*, ed. Richard Mullen (New York, 1984), 267-273, 282-283, and all others cited in this essay.

satire *Aristocracy in America*, Francis J. Grund gave an only partly satirical account of newspaper editors' place in American society and elite attitudes toward the same:

“And what is the usual career of one of your editors?” demanded I.

“That is easily told,” replied he [a fictional South Carolina planter]. “A man fails in business, or is other wise unfortunate; he does not succeed in his profession or has had some other falling out with the world. Then he turns politician”²⁵

As Jackson's appointments of these human plagues were publicized, reports came back that he was losing his “most respectable and staunch supporters” because of them. Led by “truehearted Virginians,” most of them future Whigs, the Senate refused to “swallow the printers” and denied confirmation to Isaac Hill and several other appointees.²⁶

As a group, even beyond the editors, the Jacksonian appointees were less likely than their predecessors to have other officials in their family trees or carry other marks of distinction such as prestigious educations, well-known family names, or great wealth. Most of the strivers arrived with much of their social climb still ahead of them, and little experience of truly polite society. Then there were those like Jackson himself, westerners from indubitably elite backgrounds in their own context who nevertheless struck eastern society types as rough-hewn and dangerously unpredictable in their social behavior and attitudes. In a country where the combination of an expansive print culture and spreading religious revivals were fast bringing what would later be known as Victorian standards of personal deportment to bear on both society and politics²⁷, this was not a matter of mere snobbery. It was potential social and political dynamite, bringing the deepest, most personal passions of both

²⁵ Grund, *Aristocracy in America*, 198-199. For sentiments similar to those expressed by Marryat and Trollope, see *ibid.*, 132-33, 227-228.

²⁶ John Randolph to Andrew Jackson, 8 Nov. 1831, John Spencer Bassett, ed., *Correspondence of Andrew Jackson* (Washington, D.C., 1926-1935), 4:370; John Campbell to James Campbell, 23 Apr. [1830], Campbell Family Papers, Duke University; Culver H. Smith, *The Press, Politics, and Patronage: The American Government's Use of Newspapers, 1789-1875* (Athens, Ga.: University of Georgia Press, 1977), 96-99, 297n45.

²⁷ There is a vast literature on this subject, but I have been particularly influenced by Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: University of Chicago Press, 1979); Daniel Walker Howe, ed., *Victorian America* (Philadelphia: University of Pennsylvania Press, 1976); Daniel Walker Howe, "The Evangelical Movement and Political Culture in the North During the Second Party System," *Journal of American History* 77 (1991): 1216-1239; David Paul Nord, "The Evangelical Origins of Mass Media in America, 1815-1835," *Journalism Monographs* 88 (1984): 1-30.

politicians and voters into the public sphere where, if you believe Jürgen Habermas²⁸, they were never really intended to be.

During 1828, the pro-Adams press had made perhaps the nation's first presidential campaign sex scandal out of Jackson's inattention to conventional standards of respectability, in the case of his marriage to the perhaps not yet 100 per cent divorced Rachel Robards. It was made clear to legions of budding evangelical bluenoses that a vote for Jackson was, as Norma Basch has put it, a vote for sin.²⁹ In this time and context, it is equally important to note that to be labeled a sinner was not just to be personally shamed. It also involved a potential loss of caste, a denial of access to polite social circles that might have serious economic repercussions.

The campaign attacks on his late wife left Jackson ready to resist any further pretensions to social superiority. His sidekick and War Secretary John Eaton's marriage to putative local trollop Margaret O'Neale Timberlake sparked an immediate presidential showdown with what Catherine Allgor calls the Washington "residential elite" over whether Peggy Eaton would be received in society. Formerly just an amusing anecdote in accounts of Jackson's presidency, several recent studies have elevated the Eaton affair into a crucial turning point in the history of American political culture and gender relations. Jackson's insistence on Cabinet officers who would accept a tavernkeeper's daughter into their parlors was a strong blow against the political influence that elite women had managed to carve out for themselves in early Washington. Given the fact that this influence depended more or less explicitly on an overlap between politics and society that was familiar from colonial times and a traditional feature of monarchical societies like Great Britain, the resolution of the Eaton affair was also clearly a blow for democratization, an attempt to weaken the

²⁸ Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Cambridge, Mass.: MIT Press, 1991); Michael Warner, *The Letters of the Republic: Publication and the Public Sphere in Eighteenth-Century America* (Cambridge, Mass.: Harvard University Press, 1990).

²⁹ Norma Basch, "Marriage, Morals, and Politics in the Election of 1828," *Journal of American History* 80 (1993): 890-918.

age-old influence of social status over political power and to create the state of affairs embodied in the Democratic-Republican maxim “Principles, Not Men.”³⁰

Admittedly the immediate effect of this and other political developments during this era, such as the expansion of the suffrage, was to create a partisan political culture that was specifically masculine, with seemingly no legitimate place for women. Women’s political influence would actually grow during the 19th century, but it would be exercised largely from outside the formal structures of politics, through reform movements and lobbying.³¹ Yet surely this was a first step in a depersonalization of political influence that had to occur before anything like what we would recognize as deliberative democracy or true meritocracy could begin to develop. The great historians of government Leonard H. White and Richard R. John have bemoaned the loss of administrative experience that came with the Jacksonian removals and what they see as the politicization or even corruption of government employment, implying that a form of meritocratic bureaucracy existed before 1828.³² Yet while many of the pre-Jacksonian officials were excellent administrators, any system that tried to rely solely on educated gentlemen from well-known families, as all the administrations from Washington to John Quincy Adams had, was no meritocracy in the absence of widespread opportunities for higher education, or at least not an open one. On the contrary, my research on lobbying and influence-peddling in the early republic has convinced me that allowing social standards like a family name or genteel manners to judge a person’s merit was no better a

³⁰Catherine Allgor, *Parlor Politics: In Which the Ladies of Washington Help Build a City and a Government* (Charlottesville: University Press of Virginia, 2000), 190-238; Kirsten E. Wood, "One Woman So Dangerous To Public Morals': Gender and Power in the Eaton Affair," *Journal of the Early Republic* 17 (1997): 237-75; John F. Marszalek, *The Petticoat Affair: Manners, Mutiny, and Sex in Andrew Jackson's White House* (New York: Free Press, 1997).

³¹ There is a huge literature touching on these points, but the place to start is Paula Baker, "The Domestication of American Politics: Women and American Political Society, 1780-1920," *American Historical Review* 89 (1984): 620-647.

³² Leonard D. White, *The Jacksonians: A Study in Administrative History, 1829-1861* (New York: Macmillan, 1956); Leonard D. White, *The Federalists: A Study in Administrative History* (New York: Macmillan, 1956); Leonard D. White, *The Jeffersonians: A Study in Administrative History, 1801-1829* (New York: Macmillan, 1951); Richard R. John, *Spreading the News: The American Postal System From Franklin to Morse* (Cambridge, Mass.: Harvard University Press, 1995).

predictor of integrity and competence in office than political ideology.³³ For every Samuel Swartwout in Jacksonian times, there was a William Duer back in the old days; Swartwout the crooked customs officer only embarrassed his employers, while Duer the corrupt Treasury official managed to bring on a financial panic single-handedly.³⁴

If it's hard to hear these relatively nonjudgmental words about a drooling, violent old slave dealer like Andrew Jackson, please keep in mind that I speak here of principles not men. The principle that politics and government should be guided by standards originating in the realm of political philosophy and public policy rather than society and private interest should be a familiar one. It emerged as one of the basic tenets of American democracy in the 1790s³⁵, if not earlier, and remains potent today. Much of Michael Moore's indictment of George W. Bush in *Fahrenheit 9/11* rests on exactly this idea: that the Bush family's personal relationships have illegitimately outweighed considerations of wise policy and national interest. Because the pressures of society and economy have constantly threatened to overbear politics and government in American history, maintaining the principle of "principles not men" has always been a struggle, in Jackson's time and our own.

In terms of government employment, newspaper editors were among the chief beneficiaries of Jackson's rejection of social standards, and the subject of one of his strongest statements on this subject. "Those who stepped forward and advocated the question termed the side of the people" did so out of a "generous and patriotic impulse" and ought not to be punished, Jackson told critics. To

³³ Jeffrey L. Pasley, "Private Access and Public Power: Gentility and Lobbying in the Early Congress," in Kenneth R. Bowling and Donald R. Kennon, eds., *The House and Senate in the 1790s: Petitioning, Lobbying, and Institutional Development* (Athens, Ohio: Ohio University Press for the United States Capitol Historical Society, 2002), 57-99.

³⁴ Robert F. Jones, *"The King of the Alley": William Duer, Politician, Entrepreneur, and Speculator, 1768-1799* (Philadelphia: American Philosophical Society, 1992).

³⁵ Simon P. Newman, "Principles or Men? George Washington and the Political Culture of National Leadership, 1776-1801," *Journal of the Early Republic* 12 (1992): 477-507.

appoint newspaper editors to office was merely to make “the road to office and preferment . . . accessible alike to the rich and the poor, the farmer and the printer.”³⁶

2.

The striking thing about the early social troubles in Jacksonian Washington is the fact that they broke out before the most divisive issues of the 1830s, the respective fates of the “credit system” and slavery, had even been seriously raised. Democratization alone was disturbing enough. When the banking and slavery questions struck an already destabilized political community (and nation), the conditions were created for far worse crises. According to my very unscientific studies of the matter, based chiefly on a survey of newspaper editors elected to Congress, democratization pressures struck the national legislature in earnest around the time of the “great riot year” of 1834, which was really an extended period covering the last three years of Jackson’s presidency and the early part of Martin Van Buren’s. The Jacksonians blazed away at that “hydra of corruption” the Bank of the United States, and the Whigs cried dictatorship in response. In the meantime, both sides unleashed invective and mobs on the newly radicalized abolition movement, and the nation exploded in violence, with gamblers, bankers, immigrants, politicians, and other groups joining white and black abolitionists among the victims and perpetrators. In 1835, there was even more rioting, and at the same time wars broke out in both Texas and Florida that pitted native populations against aggressors from the United States.³⁷

Another form of violence that seemed epidemic in this period, especially among politicians in and from the South and West, was dueling. While it seems perverse that a nation that prided itself on its egalitarianism, Christianity, and political enlightenment should be so caught up in a

³⁶ Andrew Jackson to T.L. Miller, 13 May 1829, *Correspondence of Jackson*, 4:32.

³⁷ Prince, “Great Riot Year”; Michael Feldberg, *The Turbulent Era: Riot and Disorder in Jacksonian America* (New York: Oxford University Press, 1980); David Grimsted, “Rioting in Its Jacksonian Setting,” *American Historical Review* 77 (1972): 361-397; Leonard L. Richards, *“Gentlemen of Property and Standing”: Anti-Abolition Mobs in Jacksonian America* (New York: Oxford University Press, 1970).

murderous, archaic, aristocratic practice (or so it seemed to many critics at the time), it actually had great appeal in a political society where social hierarchy was much more lively than prevailing public ideology was willing to admit. As Steven M. Stowe makes clear, men dueled to prove their membership in an elite fraternity of gentlemen, but the practice was all about equality. Within that fraternity of honorable men, all were theoretical equals. The nature of the insult that sparked most Jacksonian-era duels was some word or action through which one man implied that he did not consider some male acquaintance, or one of the acquaintance's acquaintances, to be fully equal to himself.³⁸

Like many other aspects of 18th-century refinement, such as certain articles of dress, décor, and deportment, dueling was democratized during the 19th century, becoming much more widely available albeit in a cruder form. In the case of dueling, cruder often meant bloodier, as personal weapons became more deadly and ambitious, unscrupulous men seized on single combat as a means of eliminating rivals or making names for themselves.³⁹

“Anarchy is the bugbear with which the enlightened opposition endeavor to frighten the supporters of democracy,” Francis J. Grund complained, but in truth anarchy was a bit more than a bugbear in the mid-1830s.⁴⁰ Michel Chevalier echoed the feelings of American Whigs and European observers alike when he wrote, in a discussion of the violence, “the events that have succeeded each other . . . announce that a crisis is at hand. The American system no longer works well . . . the

³⁸ Steven M. Stowe, *Intimacy and Power in the Old South: Ritual in the Lives of the Planters* (Baltimore: The Johns Hopkins University Press, 1987). See also, Kenneth S. Greenberg, *Masters and Statesmen: The Political Culture of American Slavery* (Baltimore: Johns Hopkins University Press, 1988); Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982); Dickson D. Bruce Jr., *Violence and Culture in the Antebellum South* (Austin: University of Texas Press, 1979); Virginius Dabney, *Pistols and Pointed Pens: The Dueling Editors of Old Virginia* (Chapel Hill: Algonquin Books of Chapel Hill, 1987). Though it covers an earlier period, before the duel came to be seen as a specifically or exclusively southern institution or got mixed up with twisted Romantic notions of “chivalry,” the details, ground rules, and basic logic of duels are well described in Joanne B. Freeman, *Affairs of Honor: National Politics in the New Republic* (New Haven: Yale University Press, 2001).

³⁹ On the democratization of formerly aristocratic cultural forms, see Richard L. Bushman, *The Refinement of America: Persons, Houses, Cities* (New York: Vintage Books, 1993). One of the better works I have seen on the democratization and politicization of dueling in this period is Dick Steward, *Duels and the Roots of Violence in Missouri* (Columbia: University of Missouri Press, 2000).

⁴⁰ Grund, *Americans in Their Moral, Social, and Political Relations*, 404.

removal of all restrictions on the right of suffrage without the creation of any counterpoise has destroyed the equilibrium.”⁴¹

The street uprisings, the personal showdowns, and the conflicts from which they sprang put a tremendous strain on a political system that was already churning from the forces of democratization and renewed partisanship that the Jacksonians had brought in. The 1828 battle cry of “rotation in office” was put into practice during the 1830s first in the executive and then the legislative branch. An 1820 law placing four-year expiration dates on the length of government appointments was politicized, essentially opening them all to officeseekers after each new presidential election.⁴² Informal term limits (also usually four years) grew up in many local congressional districts. With the Jacksonian Democrats and their Whig opponents more evenly matched and more competitive in a larger number of places than any two-party pairing before or since, the result was the highest congressional turnover rates ever recorded, with the upward spike beginning in the 1830s and climbing to a peak in the equally violent and dysfunctional 1850s. Rotation practices, close relationships with local newspapers, and the benefits of income from a local post office or custom house thus put Jackson’s appointees and newspaper editors in a strong position to do what many of them actually did during the 1830s: win election to Congress.⁴³

At least 40 editors were elected to Congress during the 1830s, most of them Jacksonian Democrats and a number of them Jackson appointees who parlayed their office into a seat in the House or Senate. Postmasters John Galbraith of Pennsylvania, John M. Niles of Connecticut, John Norvell of Michigan, John Holmes Prentiss, and Stephen B. Leonard of New York all made the leap. Rejected Treasury official Isaac Hill came back as a senator, and he was joined in the 24th Congress

⁴¹ Chevalier, *Society, Manners, and Politics*, 379.

⁴² White, *Jacksonians*, chaps. 2 & 16.

⁴³ Samuel Kernell, "Toward Understanding 19th Century Congressional Careers: Ambition, Competition, and Rotation," *American Journal of Political Science* 21 (1977): 669-93; Nelson W. Polsby, "The Institutionalization of the U.S. House of Representatives," *American Political Science Review* 62 (1968): 144-168; Morris Fiorina, David Rohde, and Peter Wissel, "Historical Change in House Turnover," in Norman Ornstein, ed., *Congress in Change: Evolution and Reform* (New York: Praeger, 1975), 24-57.

(1835-37) by five other former editors in the senate, including Niles and Norvell, and 12 others in the House of Representatives. Other than lawyers, newspaper editors were the most disproportionately well-represented occupational group in Congress.⁴⁴

While this was perhaps more the hour of the sunfish than the millennium of the minnows, these editors stood out from the giant blue marlins of earlier Congresses in ways that were noticed at the time. Many of the editor-congressmen were printers by training, and hence former tradesmen and manual laborers. Their rough manners, plain dress, and sometimes misshapen bodies (from pulling at the press) made these origins obvious. Social life at the capital was a particular trial. A lifetime of loitering in print shops and post offices, smoking and drinking in the company of workmen, clerks, and local politicians made many of the new arrivals much more comfortable at Jackson's rollicking levees than in the parlors of the residential elite.⁴⁵

A more serious obstacle facing men of moderate means who made it into Congress were the costs of living there in the expected style and fully participating in the social whirl of visiting and entertaining. The travel and housing costs involved in Senate service were exorbitant, and the pay (eight dollars a day while Congress was in session) was rarely enough to defray them. This posed few difficulties for senators who had large personal fortunes or lucrative outside professions, but it was an intolerable strain for people who did not fall into those categories.

Here is one example from my research. John Norvell, a Kentucky printer turned Baltimore and Philadelphia editor turned (via Jackson) Detroit postmaster, finally reached the apex of a long political climb when he took his seat as one of Michigan's first senators in early 1837. Though long experience in the political jungles of Pennsylvania and Maryland had allowed him to run circles around many more distinguished rivals out on the Michigan frontier, Norvell found that in

⁴⁴For details, see the charts on the *Tyranny of Printers* companion website at <http://pasleybrothers.com/newspols/officeholding.htm>.

⁴⁵For an example, see S.G. Goodrich, *Recollections of a Lifetime, or Men and Things I Have Seen* (New York and Auburn, N.Y.: Miller, Orton and Mulligan, 1856), 2:429n.-430n.

Washington he was “not half as big a giant as he supposed himself.” His previous identity as an impecunious printer and officeseeker was remembered and his swift ascent was not necessarily applauded.⁴⁶

Then there was the money issue. On the eve of the statehood campaign that sent him to Washington, Norvell’s only property was his family’s household furniture and one share of stock in the Farmers & Mechanics Bank. He had declared bankruptcy twice in the previous five years, and only the mercy of a Democratic judge prevented the publication of insolvency notices that would have ruined a burgeoning political career.⁴⁷ Whereas the pre-Jacksonian pattern of government appointments would have dictated that offices go to men of learning and wealth, any wealth Norvell had came from the office he held, rather than the reverse. In a manner that was absolutely typical of editors who ran for elective office, Norvell was pushed into behavior that many regarded as corrupt in order to simply survive. Though he spent many months away from the Detroit post office “observing” Congress with the rest of the would-be Michigan delegation during the extended struggle for Michigan’s admission to the Union, Norvell refused to give up his postmastership until he could actually begin collecting his Senate pay, to the irritation of would-be replacements and the detriment of his reputation.⁴⁸ According to one Democratic critic, Norvell was “rather odious among the right and straightforward Democrats . . . What will ruin us if we are ruined at all will be by elevating men to place & office that are unworthy . . . notoriously unfit and unpopular.”⁴⁹

At the end of his senate term, after four years of living a hand-to-mouth existence at the capital and shouldering a disproportionate amount of congressional drudgework, Norvell was reduced to begging \$40 loans from Michigan governor Stevens T. Mason, with prospects of

⁴⁶ John Norvell to Catherine A. Mason, 27 April 1836, John T. Mason Papers, Burton Historical Collection, Detroit Public Library; Lucius Lyon to Sheldon McKnight, 20 March 1836 (quoted), Lyon to E.D. Ellis, 22 March 1836, “Letters of Lucius Lyon,” ed. L.G. Stuart, *Michigan Pioneer and Historical Collections* 27 (1896), 487, 488.

⁴⁷ John Norvell to Ross Wilkins, 22 November 1834, Ross Wilkins Papers, Burton Historical Collection, Detroit Public Library.

⁴⁸ Lucius Lyon to Sheldon McKnight, 20 March 1836, Stuart, ed., “Letters of Lyon,” 487.

⁴⁹ Thomas C. Sheldon to John P. Sheldon, 5 October 1839, John P. Sheldon Papers, Burton Historical Collection, Detroit Public Library; H.H. Comstock to William Woodbridge, 16 Dec. 1840, Woodbridge Papers.

repayment so dim that Mason agreed to “let [the debt] stand until [Norvell] is able to pay or until I am as hard run as he is . . . which God forbid.”⁵⁰

Forced out of the senate in 1841 by a combination of poverty and surging Whig popularity, Norvell went back to Michigan and aggressively pursued all petty appointments that were available, including court clerkships, temporary commissions, and similarly unglamorous work that he frankly labeled “drudgery.”⁵¹ The ex-Senator raised eyebrows even higher during the rest of the 1840s, when his financial need trumped any semblance of political consistency. A Van Buren man throughout the 1830s, he outmaneuvered several rivals and won a district attorney job from Van Buren’s party rival, James K. Polk, after the 1844 presidential election. In 1848, Norvell deserted his state’s favorite son, Democratic presidential nominee Lewis Cass, and supported Whig candidate Zachary Taylor. Taylor naturally kept his new supporter on as district attorney, and then further rewarded the apostate official with an eagerly-sought diplomatic post. Unfortunately, Norvell died the same day that his credentials as Consul to Turkey arrived in the mail.⁵² In Norvell’s defense, his switch to Taylor probably arose partly from his lifelong opposition to slavery. In Michigan, many Free Soil Democrats made common cause with the Whigs in 1848. Unfortunately, it was characteristic of Norvell and his ilk to parlay even a principled stand into an opportunity for office-seeking.⁵³

⁵⁰ John Norvell to William Woodbridge, 21 February 1839, William Woodbridge Papers, Burton Historical Collection, Detroit Public Library; Memorandum signed “S.T.M.,” n.d., Stevens T. Mason Papers, Burton Historical Collection, Detroit Public Library.

⁵¹ John Norvell to Ross Wilkins, 15 June 1843, Wilkins Papers (quoted); John Norvell to Alpheus Felch, 6 April 1842, Alpheus Felch Papers, Burton Historical Collection, Detroit Public Library.

⁵² John Norvell to Alpheus Felch, 16 April 1842, Felch Papers; Norvell to Martin Van Buren, 10 September 1843, Martin Van Buren Papers, Library of Congress; Norvell to Thomas Fitzgerald, 16 October 1844, Thomas Fitzgerald Papers, Burton Historical Collection, Detroit Public Library; Lucius Lyon to Lewis Cass, 31 March 1845, Stuart, ed., “Letters of Lyon,” 598-599; John Norvell and others to William Woodbridge, 7 September 1848, Norvell to Woodbridge, 11 March 1849, Woodbridge Papers; Lewis Cass to Alpheus Felch, 25 July 1848, Felch Papers; Emily Virginia Norvell Walker to [Clarence M. Burton], 16 September 1912, Reading Room File, Burton Historical Collection, Detroit Public Library.

⁵³ Ronald P. Formisano, *The Birth of Mass Political Parties: Michigan, 1827-1861* (Princeton, N.J.: Princeton University Press, 1971), 30.

The prospect of a Congress and an administration full of officeseekers and professional partisans like John Norvell and his fellow editors filled many elite observers with horror. While these political minnows extolled the democratic forces that had brought them into office and saw political virtue in the Van Buren-style party discipline they practiced⁵⁴, others saw statesmanship and republican virtue at an end, making a somewhat selective contrast (the same one picked up by Parton and Roosevelt) between the newcomers and the seeming giants who had to come to prominence during the War of 1812 era: the Websters, Clays, and Calhouns who stood somewhat aloof from the parties they affiliated with and lusted only for the highest offices. “Too many young men rush into the arena of public life without adequate preparation,” Nicholas Biddle told the Princeton alumni. “Unable to sustain the rivalry of more disciplined intellects, . . . they accordingly take refuge in leagues and factions . . . stratagems . . . combinations, --- weapons all these, by which mediocrity revenges itself on the uncalculating manliness of genius --- and mines its way to power.” Allegedly lacking the learning and character to possess any “generous sentiments of love of country,” the newcomers were mere politicians who could “never become statesmen” and would “degenerate at last into mere demagogues, wandering about the political common, without a principle or a dollar.”⁵⁵

John Norvell came to fit that stereotype pretty well, though it is unfair to say he had no principles. Free soil and public education, which he helped build into the Michigan state constitution, were two, and democracy itself *was* a principle even if Biddle and other commentators saw it as a moral failing. At the same time, there does seem to have been a change in style as these newcomers rotated into Congress. The decline of congressional oratory was often noted, specifically the influx of members who spoke rarely, spoke poorly, or used language and mannerisms “not hitherto considered appropriate to the character of the statesman or the gentleman.”⁵⁶ Some of the

⁵⁴ Major L. Wilson, "Republicanism and the Idea of Party in the Jacksonian Period," *Journal of the Early Republic* 8 (1988): 419-442.

⁵⁵ Biddle, *Address Before the Alumni Association of Nassau-Hall*, 12-14.

⁵⁶ "The Speech of Mr. Duncan," *Albany Jeffersonian*, 1 Sept. 1838.

editor-congressmen developed into effective speakers, but none of them made a strong impression as orators at a time and in an institution in which oratory was highly prized. Having been laughed at when he had tried to speak extemporaneously in the New Hampshire legislature, Isaac Hill woodenly read his maiden Senate speech from a prepared text, a stylistic faux pas that earned him the derision of his new colleagues. Hill and at least two other editor-senators in the 24th Congress actually became relatively frequent speakers, but they would be noted for the power of their arguments and the extent of their preparation rather than the eloquence or emotional power of their oratory. Their speeches were frequently reprinted as political pamphlets but rarely memorized by schoolchildren.⁵⁷

It is also clear, though difficult to prove at this point, that these editor-congressmen were fairly typical of the relatively common men that Jacksonian-style politics was rotating into office. Even the lawyers in Congress during the 1830s tended to be far from polished, having found their way into a legal profession in which the barriers to entry (apprenticeship requirements, bar exams, bar associations) had all but collapsed. The number of lawyers exploded while the profession itself became highly stratified as the prestige and educational attainments of its average member dropped. It was easy for commonish men to become lawyers, but much harder for them to make money or become leading practitioners. The lawyer-editors and lawyer-congressmen were much more likely to be striving young politicians who had read a few lawbooks and obtained a credential, in the course of numerous other politico-entrepreneurial activities, than lions of the bar like Clay or Webster.⁵⁸

⁵⁷ Cole, *Jacksonian Democracy in New Hampshire*, 97-98; Gideon Welles, biographical sketch of Niles in Henry Reed Stiles, *The History and Genealogies of Ancient Windsor, Connecticut, including East Windsor, South Windsor, Bloomfield, Windsor Locks, and Ellington, 1635-1891* (Hartford, 1891-92), 2:534-536.

⁵⁸ Richard L. Abel, *American Lawyers* (New York, 1989), 40-41; Anton-Hermann Chroust, *The Rise of the Legal Profession in America*, Volume 2, *The Revolution and the Post-Revolutionary Era* (Norman, Okla.: University of Oklahoma Press, 1965); Gary B. Nash, "The Philadelphia Bench and Bar, 1800-1861," *Comparative Studies in Society and History* 7 (1965): 203-220; Perry Miller, *The Life of the Mind in America: From the Revolution to the Civil War* (San Diego, 1965), 109-116. Two of the relatively few common men who did become leaders of the bar were Martin Van Buren and Benjamin F. Butler, law partners, Albany Regency masterminds, and leading members of Andrew Jackson's administration. As founder of the New York University School of Law, Butler also pioneered a more practical, vocational, and "common" form of legal education, aimed at delivering the information and skills needed for successful practice as opposed to the more scholarly approach taken by most other law schools of the day. See Ronald L. Brown,

At least a few of the editor-congressmen stood out in ways beyond personal poverty and a blunt political style. Because of his association with New York City's labor movement and the Workingmen's Parties that grew out of it, printer and editor Ely Moore came to Congress in 1835 reputed to be a journeyman who had "engineered" several strikes. Later remembered as the "first man elected to Congress as a representative of the rights of the laboring classes," Moore was actually a controversial figure in New York labor circles, suspected by many of putting politics ahead of workers' rights despite the fact that he had been president of the General Trades' Union. When Southern Whig Waddy Thompson argued that northern businessmen stood in just as much danger of servile rebellion as southern planters did, Moore responded with one of the more memorable and, for some, frightening congressional speeches of 1836. "With impetuous force and in tones tremulous with emotion," Benjamin Perley Poore recalled, Ely Moore "denounced aristocracy and advocated the equality of all men." Just before the end of the planned speech, Moore suddenly went pale, fainted faced down on the floor, and was ordered by this physician to never speak again.⁵⁹

Even without the dramatic finish, Moore's speech would have been notable for its stark class rhetoric about a nation divided between "the democracy and the aristocracy," the latter of which he claimed was waging "a clandestine but vigorous war . . . against popular freedom." While defending the laboring classes against the charge of "sedition and revolution," Moore also mounted a limited defense of some of the recent political violence that was not entirely consistent with his earlier denials: "Public violence and disorders generally . . . have their origin in a violation of the principles

ed., *The Law School Papers of Benjamin F. Butler: New York University School of Law in the 1830s* (Westport, Conn.: Greenwood Press, 1987).

⁵⁹ Benjamin Perley Poore, *Perley's Reminiscences of Sixty Years in the National Metropolis* (Philadelphia: Hubbard Brothers, 1886), 150-51. For a Pessen-like account of Moore's career that casts a skeptical eye on his credibility as an authentic voice of the workingman, see Walter E. Hugins, "Ely Moore: The Case History of a Jacksonian Labor Leader," *Political Science Quarterly* 65 (1950): 105-125. Moore also comes up at several points in Sean Wilentz, *Chants Democratic: New York City & the Rise of the American Working Class, 1788-1850* (New York: Oxford University Press, 1986). I am much more concerned with how he was seen in Congress than exactly what role he played in the New York City labor movement.

of equality and justice.”⁶⁰ It was perhaps no wonder that a southern politician listening to Moore’s speech exclaimed to one of his colleagues, ‘Why, this is the high-priest of revolution singing his war song.’”⁶¹

Moore had no intention of inciting revolution, but Congress itself was wracked with violence and threats of violence during the 1830s. Political scientist Eric Uslaner, studying historical patterns of comity and civility in Congress, found that violence in Congress was virtually unknown for several decades after 1800, but suddenly flared up again to make the 1830s the second worst decade ever. Uslaner found eight documented outbreaks, but even a dip into the primary sources makes it clear that there were actually many more incidents and near-incidents than that.⁶² House of Representatives assistant clerk Benjamin B. French reported in 1838 that the pugnacious Virginia Whig leader Henry Wise alone had been involved in “a dozen brawls” and “a regular bout of blackguardism” plus three or four duels in which shots were actually fired. French also heard Wise threaten to kill a man on the floor of the House.⁶³

There were many factors working to unsettle congressional decorum in the 1830s. One of the most important was the strengthening of sectional identities in response to the abolitionist assault on slavery. The South was rapidly developing the self-consciously proslavery, faux-medieval self-image that it would carry it into the Civil War. “Aristocratic” practices such as dueling (along with other manifestations of honor culture) that had once been almost universal among American politicians became identified exclusively with the South. Many northern congressmen felt that southerners like Henry Wise used the implicit threat of violence that came with a vocal concern for honor as a weapon to bully them into their submission. Northern Democrats believed it was part of the “clandestine war” that Ely Moore posited, against their economic policies and democracy itself.

⁶⁰ *Congressional Globe*, 24th Congress, 1st sess., House of Representatives, 444-47.

⁶¹ Poore, *Perley’s Reminiscences*, 150-51.

⁶² Eric M. Uslaner, “Comity in Context: Confrontation in Historical Perspective,” *British Journal of Political Science* 21 (1991): 45-77.

⁶³ Benjamin Brown French, *Witness to the Young Republic: A Yankee’s Journal, 1828-1870*, ed. Donald B. Cole and John J. McDonough (Hanover, N.H.: University Press of New England, 1989), 77, 75.

Hysteria over the Democratic economic program, especially Van Buren's efforts to "divorce" government from the banking industry and end a massive federal subsidy to business investors by creating an Independent Treasury, should count on its own as a major factor undermining congressional civility. The Democratic party became badly split over the issue, lending a certain well-justified sense of paranoia and betrayal to the Manichean class rhetoric they had been using ever since Jackson's Bank Veto. The Whigs were just as strident, depicting Democratic proposals for a government bank as a crazed, Luddite assault on the basic institutions of capitalism.⁶⁴ The turmoil and bitterness in Congress was exacerbated by the fact that, as Van Buren took office, the Democratic split had placed the anti-bank, anti-Van Buren forces, a coalition of Whigs and "Conservative" Democrats, in de facto control of the House of Representatives despite an ostensible Democratic majority.⁶⁵

Taking nothing away from policy-based sources of tension, it is also quite clear that the Washington political community experienced this period as a social crisis. Congress became a rough neighborhood. During the 1837-38 sessions, one Whig congressional observer opined, "Nothing was witnessed except rudeness and vulgarity," and the *Democratic Review* reported that "the number of members . . . is exceedingly limited who do not habitually carry concealed weapons." Pistols, dirks, and bowie knives were especially favored. In past times, a general, mutual presumption of gentility and honor had existed among the members that served to maintain at least minimal levels of civility. In the late Jacksonian years, many members were not so sure that all their colleagues really qualified for civil treatment. The influx of new men seemed to have brought in "a caste of a very different

⁶⁴ Major L. Wilson, *The Presidency of Martin Van Buren* (Lawrence, Kans.: University Press of Kansas, 1984); Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America* (New York: Noonday Press, Farrar, Straus and Giroux, 1990); Donald B. Cole, *Martin Van Buren and the American Political System* (Princeton: Princeton University Press, 1984); Charles Sellers, *The Market Revolution: Jacksonian America, 1815-1846* (New York: Oxford University Press, 1991).

⁶⁵ "Congressional History. The Second Session of the Twenty-Fifth Congress," *United States Magazine and Democratic Review* 4 (Oct. 1838): 105-107.

character,” as the Whigs saw it. To Democratic eyes, the situation had brought out the worst in the body’s “bold and high-handed” would-be aristocrats.⁶⁶

Exacerbating the situation was the fact that at least some of the “minnows” arrived in Washington determined not to let themselves be intimidated or downgraded in this fashion. The relatively minor nature of the measurable differences between many of the minnows and the people who sought to snub and belittle them actually heightened the tensions. The ideology of classlessness and equal rights that had been basic to Democratic Republicans since the 1790s made any pretensions to higher status that much more intolerable, and pretending to a higher or more virtuous or manly status was exactly what Whigs often did to Democrats, and southerners to northerners, in this fraught period.⁶⁷ The egalitarianism that rhetorically dominated the social and political ideology of the antebellum era only made matters worse.

3.

One of the minnows in question was Jonathan Cilley of Maine, a lawyer whose first job in politics had been editing the Jacksonian *Thomaston Register*. A Bowdoin classmate of Nathaniel Hawthorne and Franklin Pierce, Cilley came from a fairly prominent family back home and served as Speaker of the Maine House of Representatives immediately before his election to Congress. Nevertheless he felt young and out of place in Washington; less than 35 years old and something of an educated bumpkin, the new congressman had never before lived anywhere more lively or urban than Augusta, Maine; as far as can be determined, he had never before traveled south of Boston, if that far, before his election.⁶⁸ On Capitol Hill, Cilley behaved like a man with something to prove.

⁶⁶“Spy in Washington,” *Morning Courier and New York Enquirer*, 2 Dec. 1838; “The Martyrdom of Cilley,” *United States Magazine and Democratic Review* 1 (Mar. 1838), 494.

⁶⁷ Joyce Appleby, *Capitalism and a New Social Order: The Republican Vision of the 1790s* (New York: New York University Press, 1984).

⁶⁸The most extensive source on Jonathan Cilley’s life and personality is Eve Anderson, ed., *A Breach of Privilege: Cilley Family Letters, 1820-1867* (Spruce Head & Rockland, Me.: Seven Coin Press, 2002). For a contemporary biographical

Like many northern Democrats of his generation, what Cilley needed to prove was both his loyalty to the southern wing of the party and his toughness in the face of southern and Whig intimidation. This was no easy trick, and Cilley's efforts to pull it off resulted in his becoming the only member of Congress to actually die from the social crisis of Congress in this period.⁶⁹

Launching himself headlong into congressional debate using the direct, strident rhetoric of an experienced party editor, Cilley offended the overbearing Whig leader Henry Wise of Virginia with a January 1838 speech attacking a Whig effort to cut back funds for the ongoing Second Seminole War. Recalling that his New England forebears had "hunted" their Indian competitors "into the deep wilderness . . . with fire and sword, even unto extermination," Cilley questioned Wise's patriotism and came close to calling him a race traitor: "The sort of sympathy expressed by the gentleman from Virginia for the tawny red skin" struck Cilley as "too near akin" to what the abolitionists had "set up . . . for a race of still deeper dye."⁷⁰ The point was not that anyone was likely to confuse Henry Wise with William Lloyd Garrison, but rather to suggest "the unworthy factiousness," as the *Democratic Review* put it, of a southerner complaining about an Indian war. Though Cilley's racist speech makes for distasteful reading today, the general sense at the time was that he had embarrassed Wise and the Whigs with a masterful performance. The full impact was not felt until the *Globe* finally published

sketch, see Nathaniel Hawthorne, "Biographical Sketch of Jonathan Cilley," *United States Magazine and Democratic Review* 3 (1838): 69-77.

⁶⁹ For secondary accounts of the duel that killed Jonathan Cilley, see Stowe, *Intimacy and Power*, 38-49; and Myra L. Spaulding, "Dueling in the District of Columbia," *Records of the Columbia Historical Society* 29-30 (1928): 117-210, among other sources. Spaulding covers all the known congressional duels. A surprisingly dispassionate and judicious contemporary history of the duel appears in "Death of Cilley," *United States Magazine and Democratic Review* 4 (Nov & Dec. 1840): 196-200, available on the Internet beginning at <http://cdl.library.cornell.edu/cgi-bin/moa/pageviewer?frames=1&cite=&coll=&view=50&root=%2Fmoa%2Fusde%2Fusde0004%2F&tif=00206.TIF&pagenum=196>. This is part of the *Democratic Review*'s unique and valuable "Congressional History." Many primary sources on the duel, including the report of the congressional committee that investigated it, are reprinted in Lorenzo Sabine, *Notes on Duels and Duelling, Alphabetically Arranged With a Preliminary Historical Essay* (Boston: Crosby, Nichols, and Co., 1856), 89-108.

⁷⁰ *Congressional Globe*, 25th Cong., 2d sess., 24 Jan. 1838, Appendix, 78-79; Craig M. Simpson, *A Good Southerner: The Life of Henry A. Wise of Virginia* (Chapel Hill: University of North Carolina Press, 1985), 38-39.

the speech, in an embellished version, on February 8, almost the day on which the events that killed Cilley were set in motion.⁷¹

The catalyst for those events was another factor that kept Washington political society boiling over in the 1830s --- the rise of more aggressive news coverage of Congress. Congressional debates and proceedings had been reported in the newspapers with varying degrees of thoroughness since 1789, and extreme journalistic partisanship had been the norm for almost as long. Yet beyond the recording of debates and occasional commentary, there had never been full-time journalists “covering” Congress in the modern sense of narrating political events as they unfolded and searching for behind-the-scenes information that explained what had recently happened and predicted what might occur in the future. Members of Congress expected to be attacked in the press for their words and actions, but congressional reporters like Gales and Seaton of the *National Intelligencer* or Blair and Rives of the *Congressional Globe* allowed speakers to clean up, polish, and extend their remarks for publication, as is still the case with the *Congressional Record*.

This situation was changing in the mid-1830s. The aggressively news-gathering, highly commercial “penny press” had exploded on the scene in New York and Philadelphia, and while this did not revolutionize the newspaper industry overnight, it did increase the pressure on the older party journals to provide information along with the agitprop. Beginning in the early 1820s, a trickle of “letter writers” had attended congressional debates off and on and sold what we would now call commentaries on the proceedings to out-of-town newspapers. One of these early correspondents was James Gordon Bennett, the Scotsman who went on to found the seminal penny journal, the *New York Herald*, in 1835. While closer to what we now call pundits than reporters, the letter writers were an irritant to many members of Congress because they short-circuited the editing process and aired dirty

⁷¹ "Martyrdom of Cilley," 495.

laundry (or simply inside information) in ways that seemed more personal and less legitimate than the partisan attacks they had contended with in the past.⁷²

The most notorious of the letter writers was “The Spy in Washington,” who took over for Bennett as correspondent for the New York *Courier and Enquirer* at the beginning of the second session of the 25th Congress, in early December 1832. *Courier and Enquirer* editor James Watson Webb claimed that his paper was not “devoted to any men or set of men whatever,” but in reality it was a traditional partisan Democratic daily that had recently fallen out with the Jackson administration over the Bank War. This change of heart was widely blamed on a timely loan Webb had received from the Bank of the United States, making the *Courier and Enquirer* a poster child for the political corruption the Jacksonians’ charged the Monster Bank with spawning. From 1832 on, Webb’s was a reliably anti-Jacksonian sheet. Following Webb’s somewhat disingenuous approach, the Spy promised to give readers “a peep behind the curtain” of congressional affairs, from the independent perspective of one “not associated with any political party” and uncensored by New York editors.⁷³

As was soon well known in Washington and New York, the writer of the Spy in Washington columns was Aaron Burr’s chief henchman, Matthew Livingston Davis, no stranger to the area behind the curtain and other murky political terrain. Beginning his career as a Republican printer back in the 1790s, Davis enlisted in Burr’s “Little Band,” and remained the would-be great man’s loyal friend and retainer until his death. Davis helped found the New York Democratic organization popularly known as Tammany Hall, and figured in a myriad of dodgy political and business schemes

⁷²Donald A. Ritchie, *Press Gallery: Congress and the Washington Correspondents* (Cambridge, Mass.: Harvard University Press, 1991), 20-22. For the most judicious accounts of the rise of the penny press, and what it did and did not mean, see John Nerone, “The Mythology of the Penny Press,” *Critical Studies in Mass Communication* 4 (1987): 376-422; Gerald J. Baldasty, *The Commercialization of News in the Nineteenth Century* (Madison: University of Wisconsin Press, 1992); Andie Tucher, *Froth & Scum: Truth, Beauty, Goodness, and the Ax Murder in America's First Mass Medium* (Chapel Hill: University of North Carolina Press, 1994); and Michael Schudson, *Discovering the News: A Social History of American Newspapers* (New York: Basic Books, 1978).

⁷³“A Spy at Washington,” *Morning Courier and New York Enquirer*, 1 Dec. 1832. On Webb, see James L. Crouthamel, *James Watson Webb: A Biography* (Middletown, Conn.: Wesleyan University Press, 1969).

over the decades without ever achieving the total ruin he seemed to court or the successful presidential campaign he tried repeatedly to kingmake. Burr was only the first in a series of losing horses Davis bet on, followed by William Crawford and Henry Clay. Enjoying life on the political battlefield for its own sake, by the 1830s Davis was a genial old raconteur who knew almost everyone who had ever mattered in American politics --- he had once traveled all the way to Monticello to ask Thomas Jefferson for an office -- and cultivated the air of one who knew where a great many bodies were buried. Davis's reputation for knowing secrets (and less than total honesty) was enhanced by his well-publicized work as Burr's literary executor and first biographer. In his 1836 *Memoirs of Aaron Burr*, Davis proudly reported that he had burned the extensive documentary record Burr had amassed of his illicit love affairs, a trove, Davis claimed that would have cast doubt on the legitimacy of a number of prominent Americans.⁷⁴

This penchant for winking knowingness made Davis a natural columnist, one with a typically hidden agenda. While most of the *Spy* in Washington letters contained news in the modern sense, by 1838, Davis was also an ardent Whig eager to stick as many thorns in Democratic sides as possible. The *Spy*'s theme for February 7 of that year was corruption in the Van Buren administration. The column called on Henry Wise to seek a congressional investigation of the departments, and then suggested that Congress itself "would not escape . . . a most disgraceful exposure." Affecting reluctance to accuse a member, the *Spy* steeled himself with the admonition that "sentinels of freedom should not shrink" from their duty and then accused an unnamed member of offering "to barter his services and his influence" with the executive branch for money. "Things do not go here by merit, but by pulling the right strings," Davis quoted the member as saying. "Make it my interest and I will pull the strings for you." If an investigation was called, the columnist would be a happy to

⁷⁴ Jerome Mushkat, "Matthew Livingston Davis and the Political Legacy of Aaron Burr," *New-York Historical Society Quarterly* 59 (1975): 123-48; Jeffrey L. Pasley, "Matthew Livingston Davis's Notes From the Political Underground: The Conflict of Political Values in the Early American Republic," May 2000, unpublished essay posted at <http://jeff.pasleybrothers.com/writings/davisv2.htm>.

name the name. Recognizing the difficulty of calling an investigating committee based on an anonymous source, editor Webb officially took responsibility for the charge in the next day's paper.

With a speed that suggested coordination, Henry Wise brandished Webb's statement on the House floor first thing the Monday morning after it was published, introducing a resolution for a committee to investigate the matter. Acting in both of his de facto roles, as the House's Whig floor leader and its resident expert on the code of honor, Wise deployed Davis's accusation as a stain on the honor of Congress that had to be addressed officially and immediately despite the anonymity and vagueness of the charge.⁷⁵

Jonathan Cilley leapt up to answer Wise (not knowing that the accused was in fact his colleague John Ruggles, a Democratic Senator from Maine)⁷⁶ with the quite reasonable argument that it would be "novel and extraordinary . . . to go into an investigation of this kind, on a mere newspaper statement" without specific evidence or even a name. Moreover, in the sort of free-swinging newspaper-based political culture that had developed in the United States, it was deeply misguided to take every accusation made in the press as a matter of honor. As a former editor himself, Cilley favored "the utmost freedom of the press"; "abuse and charges" were simply "an inconvenience attending its freedom, which every man ought to be prepared to bear." He pointed out that every president to date had suffered such attacks, usually to be exonerated in the court of public opinion.⁷⁷ It was particularly important not to allow the new "letter writers" to delay public business by forcing Congress to deal with every charge that these outsiders cared to make. Cilley's friend Alexander Duncan of Ohio asked "if the sun had rose during the present session without bringing to light some base calumny against some member of this House . . . over the signature of some one of the base, corrupt, and penniless scoundrels who beset your Capitol in hungry swarms." (Duncan

⁷⁵ *Congressional Globe*, 25th Cong., 2d sess., House of Representatives, 12 Feb. 1838, 173.

⁷⁶ Anderson, ed., *Breach of Privilege*, 151.

⁷⁷ *Congressional Globe*, 25th Cong., 2d sess., House of Representatives, 12 Feb. 1838, 173.

pointed out Davis sitting “black, base, and foul” in the gallery, and wondered why they should believe anything that came from “the apologist and eulogist of Aaron Burr.”)⁷⁸

Cilley and Duncan’s mutual friend Jesse Bynum of North Carolina linked the presence of the *Spy* in Washington to what the Jacksonians saw as their struggle with the nation’s would-be financial aristocracy. Bynum claimed it to be well-known that these “hireling scribblers . . . were employed either directly or indirectly by the banks, or other incorporated companies, to defame and write down any member of this House who should *dare* oppose their interests.” The corporations sought to destroy the reputation of any “speaker that could not be intimidated and seduced, or purchased over to their purposes . . . at the expense of the great body of the laboring and planting people of this country.”⁷⁹

Easy as it would be to dismiss Bynum’s interpretation as mere paranoia, the pressure he and other “radical” Democrats felt was quite real. “Respectable” opinion coming out of the northeastern cities and their social elites had long been against the more ideological Democrats on most economic issues, and they had noted with increasing alarm and bitterness the number of former allies, including the so-called “Conservative” faction of their own party and leading Democratic newspapers like the *Courier and Enquirer*, that had switched sides in the banking war. While I have no more evidence than Bynum of the banks actually hiring scribblers, it makes sense that the media as a whole seemed to increasingly favor the commercial, developmental forces that banking represented. The changes in the press that helped bring the letter writers to prominence has been described by historians as a process of commercialization, in which the balance of power and interest in the newspaper industry shifted away from party politics and toward business economics.⁸⁰

To return to this specific case, the advent of the “*Spy* in Washington” coincided precisely with the onset of the Bank War, and it had always been clear where the column’s sympathies lay. By

⁷⁸ *Ibid.*, 176.

⁷⁹ *Ibid.*, Appendix, 224-25.

⁸⁰ Baldasty, *Commercialization of News*.

early 1838, the Jacksonians had been struggling for many months to pass their Independent Treasury bill, which Davis had denounced as a grave threat to modern civilization and rooted openly against it. Given Davis's long history of political skullduggery, collaborating with Wise to gin up a scandal and throw the Democrats off track was well within the realm of possibility. "It is a new mode of electioneering, just *hatched*," Jesse Bynum charged, "to keep up a perpetual excitement --- to involve Congress and the whole nation in one continual brawl."⁸¹ Bynum would not be the last critic to argue that media sensationalism served to distract public attention from matters of deeper long-term importance, or that a commercialized press tended serve corporate interests in one form or another.

All of this formed the context for the comment that got Jonathan Cilley killed. Almost in passing, and without naming Webb, Cilley had invoked the old accusation, well-documented as far as the Democrats were concerned and the subject of an earlier congressional investigation and frequent comment for most of a decade, that the Bank of the United States had successfully bribed James Watson Webb to support it. If this was the "responsible editor" who vouched for the Spy, then "he did not think that his charges were entitled to much credit in an American Congress."⁸²

While Cilley and his colleagues tried to argue on the basis of politics (law and policy), Henry Wise tried to force the question back on the allegedly higher ground of society (honor and reputation). Wise "trusted that no man who was jealous of his own honor . . . would stop to inquire about the specifications, when he was thus impeached," a particularly stark statement of the traditionalist-aristocratic logic behind the code of honor. A man who waited for the law to act, who held law or principle higher than himself, was less than a man. Wise also revealed the apparent strategy behind the perverse idea of calling for an investigation without naming the subject. Because the Whigs were not in power and thus had "no influence with the Executive . . . to sell," the demands

⁸¹ *Congressional Globe*, 25th Cong., 2d sess., House of Representatives, 12 Feb. 1838, Appendix, 225.

⁸² *Congressional Globe*, 25th Congress, 2d sess., House of Representatives, 12 Feb. 1838, 173.

of honor that the House drop everything and proceed to an investigation without asking questions applied only to the Democrats, and placed Democrats like Cilley who questioned Wise's resolution in a potentially dishonorable position.

When Cilley objected to the "basest charges" thus being "insinuated against himself," Wise tried to create a dueling situation right there on the spot, pressing Cilley, in language that seems better suited to absurdist comedy than congressional debate, on whether "the gentleman from Maine" would disclaim "the charge that he [Wise] had made base charges against that gentleman." Cilley escaped from this particular trap, but Wise ratcheted up the pressure by loudly remarking, off the record but within earshot, "what's the use of bandying words with a man who won't hold himself personally accountable for his words?" Given what happened subsequently, we can probably forgive Cilley for perceiving "a conspiracy to browbeat him into insignificance before the House and the country."⁸³

Almost as if trying to make an example of Cilley, perhaps to show the limits that could be imposed on a politician who refused to play by the faux-aristocratic rules of honor, the Whigs kept on coming. A legendary hothead and a rare duelist at this point among northern editors, James Watson Webb hurried to Washington and sent Cilley a challenging note asking whether he was the editor mentioned in his first reply to Wise. Webb's note was delivered by Rep. William Graves of Kentucky, but Cilley refused to accept it, expressing respect for Graves personally but choosing "to be drawn into no controversy" with Webb.⁸⁴ Accepting or refusing to acknowledge challenges and related correspondence was probably more important in the honor game of determining who was equal to whom than the outcome of the duel itself. Graves had already acknowledged Webb as an

⁸³ "Martyrdom of Cilley," 498, 502. Cilley and Wise are quoted from the Washington *National Intelligencer*.

⁸⁴ The correspondence leading up to the duel and the seconds' report of it were printed in many places, but a convenient contemporary collection of the documents related to the duel can be found in *Funeral Oration Delivered at the Capital in Washington Over the Body of Hon. Jonathan Cilley, With a Full Account of the Late Duel, Comprising Many Facts Never Before Published* (New York and Boston: Wiley & Putnam and Otis, Broaders & Co., 1838). Quotation is from Jonathan Cilley to William Graves, 21 Feb. 1838, in *ibid.*, 26. The report of the congressional committee that investigated the Cilley duel, including the same material and more

equal by bearing his note. To a gentleman relatively determined to take insult, Cilley's refusal to take the note could be construed as a claim of moral superiority over Graves, for carrying the note of a dishonorable man. Alternatively, if Cilley had accepted the note, he would have been in the clear with Graves while acknowledging Webb's right to send a note and be propitiated or dueled by Cilley. This second option Cilley could not abide, per both his opinion of Webb's public life and the principle he had laid down in the debate, that mere words printed in newspapers against public officials should not be considered as legally or personally actionable. This was much the same position that partisan newspaper editors in legal trouble had long made, and that jurists, under the influence of popular party politics, were gradually coming to accept in this period regarding libel law.⁸⁵

Given his evident commitment to maintaining democratic norms in the face of personalism, it has always seemed paradoxical that Cilley accepted the challenge to duel that he swiftly received from William Graves – by way of his second, none other than Henry Wise -- after twice refusing to certify his belief in Webb's honorableness as Graves demanded. Men like Cilley who opposed dueling in principle were generally able to opt out, but Cilley did not. Instead the lawyer from Maine chose to fight immediately and picked rifles at 80 yards as his weapon, even though he had never shot one before. The choice was intended as magnanimous gesture based on the assumption that, as a Kentuckian, Graves would be an expert sharpshooter just as Jackson's campaign song promised. It also seems to have been the choice of a novice duelist groping his way through the process. "This is murderous! Rifles! Who ever heard of rifles?" exclaimed a confused Henry Wise when he saw the terms. Cilley was either out for blood, it seemed to Wise, or conversely (based on the prescribed distance) trying to guarantee that nobody was hit.⁸⁶

⁸⁵ Norman L. Rosenberg, *Protecting the Best Men: An Interpretive History of the Law of Libel* (Chapel Hill: University of North Carolina Press, 1986).

⁸⁶ George Wallace Jones, "Autobiography and Personal Recollections," in John Carl Parish, ed., *George Wallace Jones* (Iowa City: State Historical Society of Iowa, 1912), 162-64.

If so, it was a miscalculation. Graves obtained a better, larger rifle, and witnesses claimed that he had been out practicing with Wise, who was overheard giving his principal a sinister pep talk: “Graves, you must kill that damned Yankee.”⁸⁷ Cilley’s friends at the duel itself got a similar impression when Wise and Graves failed to settle the affair after two rounds even though each man had gotten off a decent shot by then. On the third fire, Graves scored a direct hit to the body and Cilley died almost instantly. Graves insisted to the end that “he had not borne the note of a person who was not a gentleman and a man of honour,” but Webb spent the day of the duel disproving that, recruiting two confederates to help him to force Cilley into an immediate gunfight or else break the congressman’s arm.⁸⁸

Many interpretations of the Cilley duel have been floated over the years. Democrats and New Englanders tended to opt for simple interpretations like “homicide,” “cold-blooded murder” or even “*murder, MURDER, MURDER!*” three typefaces worth, in a published sermon by the Rev. Heman Humphrey of Amherst College. Some saw it as the assassination of a political rival orchestrated by some prominent Whig leader such as Wise or Henry Clay.⁸⁹ The House committee assigned to investigate the case seemed to blame Cilley himself, for botching the pre-duel correspondence and not taking any of the outs that Graves offered.⁹⁰

Even less satisfying was the explanation most often given for the central mystery of why Cilley accepted the challenge in the first place. Duelists and their defenders almost always appealed to the inexorable force of public opinion that allegedly forced men of honor onto the field to save their reputations and careers. This argument was made regarding the Cilley affair, too,⁹¹ but it was

⁸⁷ French, *Witness*, 76-77.

⁸⁸ *Funeral Oration with Full Account*, 35-36; “Death of Cilley,” 199-200; Sabine, *Notes on Duels*, .

⁸⁹ Heman Humphrey, *The Sixth Commandment: a Discourse Delivered in the Chapel of Amherst College, March 11, 1838, and Published at the Request of the Students*. (Amherst, Mass.: J. S. & C. Adams, 1838), 14; “Martyrdom of Cilley,” 495.

⁹⁰ “Death of Cilley,” 199-200; Stowe, *Intimacy and Power*, 48.

⁹¹ Mark Schmeller, “Public Opinion is practically the paramount law of the land’: The Cilley-Graves Duel and the Antimonies of Antebellum Anti-Dueling,” paper presented at Society for Historians of the Early American Republic annual meeting, Columbus, Ohio, July 20, 2003.

also clearly wrong. Cilley actually believed that public opinion was against him. Riding out to the dueling ground in an omnibus with this fellow Democrats, he jokingly informed his second, George Wallace Jones of Wisconsin Territory, that he would have to move out to the territory himself after the affair became known because “my constituents would never vote for me again or employ me as their attorney.”⁹²

Many New Englanders received the news of the duel in sectional terms, as a demonstration of their own cultural differences with, and superiority to, the “heathen” South.⁹³ Democratic Senator John Milton Niles of Connecticut, a former newspaper editor who had faced many of the same challenges as Cilley but dealt with them quite differently, saw a Union-threatening culture clash in the recent violence at Washington: “Is it supposed that the people from those portions of the Union, where dueling is regarded . . . as a crime only[,]. . . abhorrent to every moral and social feeling, will send Representatives here, to be shot down for words spoken in debate?”⁹⁴

The wave of anti-dueling sermons, speeches, memorials, and petitions that followed Cilley’s death often had to address New Englanders’ complacency about dueling, based on the assumption, not quite fully justified, that there had been universally rejected throughout their region.⁹⁵ Rev. James MacDonald of New London appealed to Yankees’ burgeoning nationalism: It is for the American people to say whether our land, and our national Council shall be filled with a set of desperadoes . . . or whether justice, virtue, legal and constitutional order shall be triumphant.”⁹⁶

⁹² Jones, “Autobiography,” 166.

⁹³ For a particularly blunt example, see, William Withington, *Cilley of Maine, Murdered by Graves of Kentucky* (Portland, Me., 3 March 1838), a verse broadside found at the American Antiquarian Society.

⁹⁴ *Congressional Globe*, 25th Cong., 2d sess., Senate, Appendix, 29 Mar. 1838, 226.

⁹⁵ Humphrey, *Sixth Commandment*, 30-31.

⁹⁶ James M. MacDonald, *A Mourning Land. : A Sermon, Occasioned by the Late Duel at Washington, Between Jonathan Cilley, and William J. Graves, Members of Congress. : Preached at New-London, Sabbath Evening, March 18, 1838.* (New-London: Ebenezer Williams, 1838), 11-12. Other sermons published on the Cilley duel included: Humphrey, *Sixth Commandment*; Samuel Barrett, “*Thou Shalt Not Kill.*” : *A Sermon, Preached in the Twelfth Congregational Church, Boston, Sunday, March 4, 1838. In Consequence of the Late Duel in Washington.* (Boston, 1838); M. A. De Wolfe Howe, *The Willing Homicide Unfit to Be a Legislator. : A Discourse, Delivered in St. James' Church, Roxbury, on the Evening of Sunday, March 11, 1838* (Boston: Torrey & Blair, 1838); William Buell Sprague, *A Sermon Addressed to the Second Presbyterian Congregation in Albany, March 4, 1838, the Sabbath After Intelligence Was Received That the Hon. Jonathan Cilley ... Has Been Shot in a Duel With the Hon. William J. Graves ...* (Albany, Printed by J. Munsell,

Democrats and historians have tended to treat Cilley as a kind of honorary southerner, a crack shot eager to defend the reputation of his family and home region in ways that other northerners were not.⁹⁷ There is much to recommend part of this view. The *Democratic Review* admitted that Cilley was no seasoned fighter, but it did depict him as a northern man full of rather southern-like sentiments, an impression that party unity often required northern Democrats to give. “‘NEW ENGLAND MUST NOT BE TRAMPLED UPON,’ my name must not be disgraced they quoted him as saying,” Cilley was quoted as proclaiming. His friend Franklin Pierce, who became the most obnoxiously pro-southern of northern presidents in the 1850s, kept the broken parts of Cilley’s rifle as relics of the duel, saying, “I will keep the broken arms, with which my friend defended the honor of New England.”⁹⁸

Yet if Cilley did seem to adopt southern ways, it is best seen not simply as a personal preference. Instead it was a result of the intense and pernicious social pressure felt by the congressional minnows of the late 1830s. A new member from the geographic or social hinterlands faced a range of social options when he arrived in Washington; if he expected to be popular with his colleagues, he needed to be able to hobnob with the ladies and gentlemen of the residential elite, as well as be one of the boys in the tavern and boarding house. Cilley was doing well in the former area by the time of his death, having just acted as a manager for a major ball, but that progress had also brought him into contact with people and customs alien to his experience: wealthy New Yorkers and Philadelphians with little use for democratic ideals or rustic manners, and self-styled southern

1838); Henry Ware, *The Law of Honor. : A Discourse, Occasioned by the Recent Duel in Washington; : Delivered March 4, 1838, in the Chapel of Harvard University, and in the West Church, Boston* (Cambridge [Mass.]: Folsom, Wells, and Thurston, printers to the university, 1838); Isaac R. Worcester, *A Discourse Occasioned by the Recent Duel at Washington. : Delivered at Littleton, N.H. on Fast Day, April 12, 1838.* (Concord, N.H. Asa M'Farland, 1838).

⁹⁷ Sabine, *Notes on Duels*, 90-91; Stowe, *Intimacy and Power*, 39.

⁹⁸ “Martyrdom of Cilley,” 502; *Funeral Oration with Full Account*, 36n-37n.

nabobs steeped in their region's flourishing if bogus neo-feudal culture based on what they called honor and "chivalry."⁹⁹

The latter was nowhere so exaggerated as in Washington, where the sectional cultures had to compete with each other face-to-face. Unless a member was extraordinarily independent-minded and self-directed, it was almost impossible not to be influenced by society in this way, whatever level of commitment he felt to "principles, not men." Francis J. Grund contended that this was particularly difficult for rural democrats like Cilley. "Society is the means of seducing our unsophisticated country members," one of his characters argues, "making them believe that republicanism is only fit for backwoodsmen."¹⁰⁰

For relief, all a member could really fall back on was his time with the boys, but with most members of Congress crowded together in boarding houses, there was really almost no room for a private life. Honor culture tended to loom even larger in the all-male environment than it did in the drawing rooms of the elite, and take on cruder forms: tough talk, struggles for dominance, and the constant if usually remote possibility of physical violence. Faced with this bizarre boys club, Cilley tried to assimilate and fell in with a bad crowd, so to speak, or at least an overly aggressive crowd, of chip-on-the-shoulder backcountry democrats. According to John Fairfield, his fellow Democratic congressman from Maine, Cilley "avoided his [Maine] colleagues" and "took advice from more belligerent characters."¹⁰¹

A number of such belligerent types helped guide Cilley to his death. The famed southwestern duelist Thomas Hart Benton of Missouri liked to take new Democratic members under his wing;

⁹⁹ Wyatt-Brown, *Southern Honor* is still the standard work on this culture, which still lacks the comprehensive, systematic account that it deserves. Stowe, *Intimacy and Power*, and two brief works by Kenneth S. Greenberg are actually a bit more helpful than Wyatt-Brown's literary stylings: *Honor & Slavery: Lies, Duels, Noses, Masks, Dressing As a Woman, Gifts, Strangers, Humanitarianism, Death, Slave Rebellions, the Proslavery Argument, Baseball, Hunting, and Gambling in the Old South* (Princeton: Princeton University Press, 1996); and *Masters and Statesmen: The Political Culture of American Slavery* (Baltimore: Johns Hopkins University Press, 1988). Like most recent work on dueling, Greenberg, Stowe, and Wyatt-Brown rely heavily an anthropological approach to duels as "rituals" that illuminates internal dynamics much better than political or social context or larger significance.

¹⁰⁰ Grund, *Aristocracy in America*, 52.

¹⁰¹ John Fairfield to [Anna Thornton Fairfield], 26 Feb. 1838, Arthur Staples, ed., *The Letters of John Fairfield* (Lewiston, Me.: Lewiston Journal Co., 1922), 204.

George Wallace Jones found Cilley consulting with Benton soon after the challenge, and even blamed Benton for the rifle idea.¹⁰² The group actually present at the duel on Cilley's behalf made the volcanic Benton look like a calming presence.¹⁰³ Designated "friend" Jesse Bynum of North Carolina was a much-touted expert marksman who had fought Maryland's Daniel Jenifer in 1836 over the use of the word "ungentlemanly." Bynum may have lost some street cred when he and Jenifer failed to even wound each other after six shots at a range of only 30 feet. Like the rifles of Cilley and Graves, a duel of six shots seemed evidence even to some of the code of honor's devotees that the practice was becoming decadent and barbaric.¹⁰⁴

George Jones and Alexander Duncan, Cilley's second and on-scene surgeon at the duel respectively, had recent experience of the duel- and brawl-ridden politics of the western frontier. While it is not clear that he was ever a principal in a duel, Duncan's speaking style seemed to actively invite physical conflict. One Whig journal observed dryly that Duncan's floor speeches "were all marked by certain strong peculiarities of manner which have not hitherto been considered appropriate," but seemed all too fitting in the present "age of progressing refinement, when Lynch law, Bowie knives, and gouging are taking root among us as established institutes of society."¹⁰⁵ In the months following Cilley's death, with honor culture mostly in abeyance for other people, Duncan seemed hell-bent on a duel of his own, making blunt accusations against other members and publishing a notice in the *Washington Globe*, on the very day that Van Buren signed a bill to ban dueling, that posted known duelist Edward Stanly of North Carolina as a "base liar and a foul calumniator." Duncan nearly got expelled from the House for this deliberate effort to incite violence.¹⁰⁶

¹⁰² Jones, "Autobiography," 160-61.

¹⁰³ For a full list of attendees at the duel, see *Funeral Oration with Full Account*, 36n.

¹⁰⁴ Spaulding, "Duelling in the District of Columbia," 180-83.

¹⁰⁵ "Speech of Mr. Duncan," *Albany Jeffersonian*, 1 Sept 1838.

¹⁰⁶ *Congressional Globe*, 25th Cong., 3d sess., House of Representatives, 21 Feb. 1839, 197 ff.; "Speech of Mr. Duncan," *Albany Jeffersonian*, 1 Sept 1838.

While culture certainly played a role, all this aggression can also be seen in a different way: as some of the minnows' way of asserting their political self-determination against powerful forces that sought to bring them under social discipline. Jonathan Cilley accepted the challenge of William Graves to prove his right to ignore that of James Watson Webb, and the right to make his own political character judgments and honestly express them without the coercion of the honor code. This seems the most likely reason for not accepting one of the explanations Graves indicated he would accept, the constitutional privilege of not being answerable for words spoken in congressional debate. That would still have required Cilley to affirm or imply respect for James Watson Webb that he and most other Jacksonians did not feel. Indeed, if George Wallace Jones is to be believed, Wise and the other Whigs involved felt no genuine respect for Webb either, meaning that Graves chose to take insult and lending much support to the political assassination theories prevalent in the North.¹⁰⁷

In a sense, Cilley dueled over a personal issue so that he and others would not have to duel over public ones, and in a way, the strategy worked. His death sparked a national outcry over dueling. The funeral "was attended by an immense concourse of people . . . a more solemn assembly" than congressional clerk Benjamin Brown French had ever witnessed.¹⁰⁸ In the aftermath, Cilley's colleague John Fairfield seized the opportunity to push through a long-sought ban on dueling in the District of Columbia. The voting on the anti-dueling bill revealed as a mere talking point the professed belief of dueling apologists that the practice was "sustained by public sentiment." Regardless of what they said, the overwhelming majority of members appeared to realize that the folks back home did not support dueling at all. The strategy for stopping the anti-dueling bill relied on a series of motions to table or to attach crippling amendments. The votes on these strategic

¹⁰⁷ Jones, "Autobiography," 162-64. More research is necessary, especially in the Henry Wise Papers, to nail this down,

¹⁰⁸ French, *Witness*, 75.

maneuvers were close, but final passage was gained in a landslide. Almost no one in Congress dared cast a clear-cut vote in favor of dueling.¹⁰⁹

The anti-dueling law was often criticized and never fully enforced; despite the investigating committee's recommendation that Wise, Jones, and Graves be expelled from the House, nobody involved in the duel was punished in any way. The law and the controversy that spawned it nevertheless had a distinct chilling effect on the deployment of honor culture in Congress, partially depriving the South of one of its more powerful weapons. Fairfield scoffed in June 1838 when a southern member gave a "very silly & pompous announcement" that another congressional duel had been settled. "The truth is . . . no one dare fight a duel here now, and this parade about the affair . . . is merely to keep up the idea that the peculiar code of southern honor is still in force."¹¹⁰ A letter writer for the Whig *New-Yorker* observed that in the case of Duncan's posting of Stanly, published the very day that President Van Buren signed Fairfield's anti-dueling bill into law, the affair "would probably have taken up weeks and ended in bloodshed" had it occurred in an earlier session of Congress.¹¹¹

"Honor" and "chivalry" would come back to Congress with a vengeance before the Civil War, of course, but chiefly in the form of southern-on-northern threats and thrashings like the "crime against Sumner" that helped galvanize northern public opinion against southern domination of the federal government and the expansion of slavery that it fostered.¹¹²

By the 1850s, if not before, it was quite possible for a challenged party to categorically and publicly reject the code of honor without disgracing himself. For instance, when Maryland-born Sen. James Cooper, a Pennsylvania Whig, challenged the editor of the Philadelphia *North American* in 1854, editor Morton McMichael took the high ground that "editors of public journals" could not

¹⁰⁹ Spaulding, "Duelling in the District of Columbia," 195-201.

¹¹⁰ John Fairfield to [Anna Thornton Fairfield], 9 June 1838, *Letters of John Fairfield*, 234.

¹¹¹ X.W., "Notes in Washington – Feb. 22," *The New-Yorker*, 2 March 1839, 24.

¹¹² For two works that are especially good on the political impact of the caning of Sen. Charles Sumner, see Michael F. Holt, *The Political Crisis of the 1850s* (New York: Norton, 1983); and Gienapp. William E., *Origins of the Republican Party, 1852-1856* (New York: Oxford University Press, 1987).

“permit themselves to be held personally responsible [physically responsible, in the “honorable” sense] for their strictures on public affairs.” Otherwise there would be “at once an end to all independence of the press; and wrong and outrage might go unpunished and unrebuked.” Following much the same logic that proponents of the Fairfield anti-dueling bill had used in trying to preserve the “independence of Congress,” McMichael’s success in this gambit was progress from the days when editors had to fight to show they were independent.¹¹³

4.

Even when the “aristocratic” and anti-aristocratic violence in Congress was not raging in Congress, a number of political minnows, along with most Van Buren Democrats and other so-called “Locofocos,” believed that a significant reaction was in progress against democratization. They pointed to a dolorous trend noted by some of the more liberal travelers: a growth in the identification of American elites with non-democratic values and forms of government. In New England especially, Harriet Martineau wrote, “there are some few who openly desire a monarchy; and a few more who constantly insinuate the advantages of a monarchy, and the distastefulness of a republic. It is observable that such always argue on the supposition that if there were a monarchy, they should be the aristocracy.” Martineau herself thought these wannabe aristocrats would be in for a big surprise if America ever did acquire a monarchy.¹¹⁴

Francis J. Grund filled his *Aristocracy in America* with scenes, dramatized but probably not wholly invented, illustrating elite Americans’ contempt for popular government and political participation. “Robespierre is not more detested in France, than Jefferson and Jackson are among the higher classes of Americans,” claimed one of his sympathetic characters. “I have seen fashionable women in Boston and Philadelphia almost thrown into convulsions at the very mention of their

¹¹³ Sabine, *Notes on Duels*, 319-22; *Congressional Globe*, 25th Cong., 2d sess., Senate, Appendix, 29 Mar. 1838, 226.

¹¹⁴ Martineau, *Society in America*, 3:31-32.

names.” It was no fun to be an aristocrat in a democracy. “What privilege, I heard them say, is it to shake hands with the President” if “every blackguard, dressed in boots, can do the same. What honour is there in being present” at a White House party” if “every journeyman mechanic may enjoy the same pleasure without even a decent suit of clothes?” Europe was far more enchanting: “How our ladies heart beat when they think of . . . the gay and graceful baronets! --- the insinuating lords! ---the rich, proud earls! --- the noble dukes! . . . What magic there is in that word ‘King!’ to the mind of a *genteel* American!” The American elites’ “striplings” were sent on grand tours to worship feudal Europe and “come home with signets and coats of arms, and a lordly loathing of republican equality.”¹¹⁵ Grund went a little over the top here, but he had a point about the obvious attraction that American bourgeois culture felt for the trappings of monarchy and aristocracy, which seemed to only get worse as the country grew richer and more diverse and more socially democratic.

Many Democrats regarded it as axiomatic that the “large majority of the *better classes*” hated them; reports circulated in their newspapers that 95% of Virginia college men “were opposed to democratic principles.” The *Democratic Review* blamed these biases on the “anti-democratic character” of the English and faux-English literature that educated Americans consumed, and took the rectification of this problem as one of its major missions: “The vital principle of an American national literature must be democracy.”¹¹⁶

American literature probably deserves less blame than the *Review* indicated --- Hawthorne, Melville, Poe, and Whitman were all Democrats --- but the argument that there were softer, “cultural” means of undermining democracy and republicanism was old and fairly convincing. It had been one of the justifications for keeping Congress at its once lonely Potomac outpost rather than moving back to Philadelphia or New York when it looked as though the District of Columbia might not pan out. In Philadelphia, “Congress were almost overawed by the population of that city;

¹¹⁵ Grund, *Aristocracy in America*, 112, 56-57.

¹¹⁶ “Introduction,” *United States Magazine and Democratic Review* 1 (Oct. 1837): 10, 14-15.

measures were dictated by that city” and especially by its polite society, Kentucky’s Matthew Lyon remembered. Philip Barton Key of Maryland perceived more generalized dangers. Otherwise “honorable and independent men,” would be induced to “sacrifice agriculture at the shrine of . . . commerce.” Key saw clearly how Philadelphia’s high society lobbyists would go about their work: “The inhabitants would give us good dinners and handsome entertainments, operating on our prejudices and taking advantage of unguarded moments . . . [and] insensibly bias our better judgment.” A link was posited between the influence of the Philadelphia social “lobby” and commercially-oriented Federalist public policies like a national bank, a permanent national debt, aid to manufacturing, and a large standing military force.¹¹⁷ If such a link did exist, then the rise of a “residential elite” in Washington might help explain the growing interest in such policies among many old Jeffersonian Republicans after 1815.¹¹⁸

Grund imagined a similar but far more direct scenario taking place during the struggle over banking and development issues in the later 1830s. Social influence kept wealthy, educated men from straying too far from their class interests, he suggested, and seduced or shamed promising minnows away from theirs. “Whenever a man of man of talent or wealth embraces the cause of democracy,” declares one of Grund’s mouthpiece characters, “he becomes at once the butt of society, and the object of the most unrelenting persecution with all the ‘respectable’ editors, lawyers, bankers, and business men in the large cities.”¹¹⁹

Then the ladies got into the act. “Fashionable women” would set out to make a convert of a “country representative of considerable talent” by playing on his natural “gallantry” toward them. In deference to the ladies present, the unsuspecting rustic would learn to sit politely through “the grossest abuse of the institutions of their country” and to hear “the people’s favourites traduced as

¹¹⁷ *Annals of Congress*, 10th Cong., 1st sess., House of Representatives, 1531-48. For details, see Pasley, “Private Access and Public Power.”

¹¹⁸ Allgor, *Parlor Politics*. This theme would be a way of integrating Allgor’s theories about female political influence with other aspects of political history.

¹¹⁹ Grund, *Aristocracy in America*, 132.

‘scoundrels,’ . . . ‘pickpockets,’ ‘idiots,’ . . . &c” with equanimity. In “good society” he would learn “to consider politics as wholly uninteresting except to tavern-keepers on election days[,] a subject unworthy of the pursuit of a gentleman, and a thing banished from people of fashion and good taste.” Soon enough the ladies would have “tamed him enough to make him less *positive* in his opinions” hoping, “by the time they will teach him to wear white gloves and ‘behave himself like a gentlemen,’ to make him altogether ‘harmless.’” Once brought to that point it took little “to make him *ashamed* of serving the ‘riff-raff’” and to see the wisdom of “those dignified opinions which are handed down . . . by the ablest writers of Great Britain.” Thus it was “the corrupting influence of our fashions,” as implemented by elite women, that best explained why so many “celebrated leaders” had “commenced their careers by advocating democracy, and finished by betraying it. This is the price they have to pay for admission into good society.”¹²⁰

Beyond social acceptance and the smiles of fashionable ladies, Grund sketched out a more crass set of social motivations explaining both the Democrats’ problems with defectors from their policy program and the Whigs’ greater success in attracting upper-class funding and support.¹²¹

Talent loves to be rewarded, and . . . naturally serves those who are best *able* to reward it. . . . The democrats have not the means of remunerating the services of their public men in the manner of the Whigs; . . . with the exception of a few government offices, with mere pittance for salaries, and the election of senators and members of Congress, ---persons “hired at the rate of eight dollars a day” The little pecuniary reward which the zealots and champions of democracy meet with in the United States, is, indeed, one of the reasons for which they are despised by their aristocratic opponents. “What talents,” argue the latter, “can a man possess who will give up all manner of business, and devote himself exclusively to politics, in order, near the close of his life, to sit down contented with the editorship of a penny paper, a membership of Congress, or an office of from twelve hundred to two thousand dollars a year?”¹²²

¹²⁰ Ibid., 93-95.

¹²¹ While democratization has been hard to prove as a general thing, historians by and large have found it to be true that Whig leaders and voters were generally wealthier, or haled from wealthier, more commercial places, than their Democratic counterparts. For examples, see Charles Grier Sellers Jr., “Who Were the Southern Whigs?,” *American Historical Review* 59 (1954): 335-46; and Paul Goodman, “The Social Basis of New England Politics in Jacksonian America,” *Journal of the Early Republic* 6 (1986): 23-58.

¹²² Grund, *Aristocracy in America*, 132-33.

That was a lot of money to most Americans, but not so much to Democratic politicians forced to compete socially with and consider themselves the equals of the large-scale plantation owners and corporate lawyers who filled the Whig ranks. The office-seeking for survival that Jacksonian editor-politicians like John Norvell, John Niles, and others went through shows that Grund was emphatically not making this up. For the minnow politician, the most realistic alternatives to such petty scrambling were big-time corruption or the use of one's political connections to enter business, a path that tended to lead eventually to much more business-friendly political views.¹²³

Obviously we can't take the fictionalized speculations of Francis J. Grund or the heated rantings of Jonathan Cilley's trigger-happy friends as precise descriptions of what actually happened in the 1830s. However, omitting the conspiratorial element, some process like this, along with economic embourgeoisement through income from public offices and politicized businesses, may partly explain why the "radical democracy" of the late 1830s period came to so little. There was real democratization in this period, but it was hemmed in on all sides and easily bought off or distracted.

¹²³ Isaac Hill and Amos Kendall are good examples here.