

A Nation of Compromise: Compromise in the Debate over Slavery

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# Abstract

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Compromise is a defining characteristic of American identity and a complex function that is central to the political process in the United States. Therefore, the study of how and why compromise is reached can provide useful historical insight with contemporary applications.

The research, analysis, and discussion of this thesis will focus on two specific examples of compromise in the slavery debate in the United States: the creation of the Gradual Emancipation Act of 1799 in New York and the Compromise of 1850 in the United States Senate. An examination of these historic events provides insight into whose interests are served and the intricacies of compromise in relation to U.S. government and its people. The lessons of compromise generated by the research will be presented through an analysis of the important role of the individuals involved and the implications for those left out of the compromise process and the nation itself.

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## 1. Introduction

*All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded in compromise and barter.* - Edmund Burke<sup>1</sup>

When asking someone to name some traditional “American” values typical answers might be: freedom, equality, and democracy. These are the principles the world sees as central to American society and culture, and characterize what it means to be an “American.” However, there is one often-overlooked value, which sits at the core of the definition of the United States and that value is compromise. Politicians and organizations continue to view and use compromise as a tool that holds the American nation together and give it a sense of unanimity. Compromise is a value that hides in plain sight as the “united” part of the United States of America. The study and concepts of compromise date back to the earliest forms of government and have evolved alongside modern governmental and societal structures. When it comes to the history of the United States compromise eclipses other values, as it was integral to the very foundation and formation of U.S. government and was the glue that held the country together. By studying the role of compromise in history we can better understand why compromise can be upheld as a political solution, but at the same time have the ability to deny progress when it comes to fundamental issues within U.S. government and society. What better way of understanding the function of compromise in the United States than examining the most famous issue that exemplified the political challenge of compromise. This issue, of course, was slavery. What was it about the debate over slavery that turned it into an issue beyond compromise that drove the nation into a civil war? The primary

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<sup>1</sup> Edmund Burke, *Two Speeches on Conciliation with America and Two Letters on Irish Questions with an Introduction by Henry Morley* (London: G. Routledge, 1889), 182.

focus of this thesis is to examine compromise as a component of the American political identity, as well as, the implications of the failure or rejection of compromise in American politics and society.

The debate over slavery and compromises surrounding it span over a hundred years of history, beginning before the formation of the United States and were international in scale. The research and discussion that follow will investigate two specific moments in the history of the slavery debate and analyze the role of compromise in America. New York, like many states, was divided in opinion over the issue of slavery. As one of the largest and wealthiest states in the Union its organizations and politicians were influential in defining and defending antislavery, pro-slavery, and moderate stances. The first example presented will be the debate over the gradual emancipation of slaves in the State of New York that occurred between 1785 and 1799. The time period offers some of the first arguments for and against slavery during the early years of a newly formed nation. While the debate revolves around eliminating slavery through gradual emancipation at the state level for New York, it also contains crucial elements that pertain to the debate over slavery at the national level. The creation of the Gradual Emancipation Act of 1799 provides an example of how compromise addresses the issue of slavery with what can be viewed as flawed success.

The second example to be considered in the debate over slavery will be the contributions of the two New York United States senators that resulted in the Compromise of 1850. Throughout the debate it became apparent that compromise was becoming a weak solution because it did not address the issue of slavery in any fundamental way. New York Senators William H. Seward and Daniel S. Dickinson both

played a significant role during the five-month congressional debate. Both men originated from the same state but they held widely different views on the “slavery issue” and the compromise that was forged in the proceedings of the U.S. Senate. Examining their arguments for and against the institution of slavery not only shows the complexity of the debate, but also how the debate had evolved up to that point in the United States.

These two reference points in the slavery debate provide insight into the nature of compromise in the American system of government and help answer the question of why the issue of slavery required bloodshed and death and not compromise to settle the fate of the institution and ultimately the nation. This paper will use these two examples to argue that it was a combination of rising stakes in relation to interests, combined with the creation of a moral paradigm that led to the failure of compromise when it came to slavery.

After examining these specific examples of the importance of compromise in the debate over slavery, we will consider contemporary implications of the role of compromise in U.S. politics and also in the field of American Studies. Compromise does not end with slavery. While the country went to war over the issue, in the post-war period the United States returned to using compromise to resolve contentious issues. The dependence on compromise in American political identity becomes more evident as the positions and patterns from the slavery debates begin to manifest themselves in modern political and social issues. American Studies scholars are continuously attempting to understand and define themes that represent “American identity” and the research and discussion of the pivotal role of compromise in the American context may contribute to American Studies discourse. We will conclude with some of the lessons that can be taken

away from America's compromises and what this might mean for the future of the United States.

## 2. Compromise by Definition

The definition and discussion of compromise spans multiple disciplines with philosophers, political scientists, theologians, and historians at the forefront of the attempt to grasp and articulate the concepts and actions related to compromise. Before examining the specific historical compromises during the debate over slavery it is important to discuss the question: What is compromise and how does compromise work? The traditional definition of compromise is either "an agreement or settlement of a dispute that is reached by each side making concessions" or "the expedient acceptance of standards that are lower than is desirable."<sup>2</sup> These two definitions exemplify the dual nature of compromise: when compromise is enacted often the two definitions become one. The earliest known proponent of compromise in western political theory was Aristotle. In a recent study of compromise Alin Fumurescu examines Aristotle's language and concepts by comparison to modern day definitions of compromise.<sup>3</sup> Specifically, Aristotle applies his belief that a "mean" or "medium" creates a balance between virtue and vice regarding issues of politics, claiming the middle road is the best as it does not favor any particular section of society over others.<sup>4</sup> This provides an excellent illustration of how the two definitions of compromise are interrelated. The "medium" is the middle

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<sup>2</sup> *Oxford English Dictionary Online*, (Oxford University Press, 2013) <http://oxforddictionaries.com/definition/english/compromise> (4/21/13).

<sup>3</sup> Alin Fumurescu, *Compromise: A Political and Philosophical History* (Cambridge: Cambridge University Press, 2013), 30-31. Fumurescu's work focuses on the historical origins of compromise in Western political thought. He argues that compromise originates with conceptions of political and self-representation.

<sup>4</sup> Aristotle, *A Treatise on Government*, trans. William Ellis (London: 1778), 143.



ground that Aristotle's moral and political issues require to create a better society and government. The process of compromise demands concessions and acceptance of participant's values or ideals in order to create a successful government that provides justice and protection for all those involved. While Aristotle stresses the importance of compromise, he does not provide specificity regarding the process of compromise, which could be attributed to his belief that compromises are created to deal with a specific issue and therefore the process is malleable.

Another important contributor to theories on compromise was Edmund Burke. Burke was a politician and theorist who supported the American Revolution and his speeches and writings were read throughout England and the colonies during the Revolutionary period. His contributions to political theory are why Burke is considered a founder of modern conservatism as well as an example of classical liberalist thinking. For Burke, compromise is connected to his theories on liberty and what he calls social obligation:

Liberty must be limited in order to be possessed...It ought to be the constant aim of every wise public counsel to find out by cautious experiments, and rational, cool endeavors, with how little, not how much of this restraint the community can subsist.<sup>5</sup>

Burke argues that extremes, even in liberty, are dangerous and that compromise and gradual change in society and government are the priorities of a nation's leaders. He cites Great Britain's lack of even a gradual response to the grievances of the colonies and lack of mediation, which resulted in the colonists' response through revolution.<sup>6</sup> His views on

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<sup>5</sup> Edmund Burke, "Letter to the Sheriff Bristol" in *The Miscellaneous Works of the Right Honourable Edmund Burke Vol. I* (New York: Eastburn, Kirk and Co. and West and Richardson and Oliver C. Greenleaf, 1813), 98.

<sup>6</sup> *Ibid.*, 99.

compromise applied not only to issues of liberty and politics, but also to moral issues traditionally relegated to the church. Burke's belief in a social obligation is similar to the writings of John Locke and the Enlightenment. Locke proposed in his *Two Treatises of Government* that while man was naturally free, there was a need for men to come together to form a society for natural protection. Agreeing to this meant that men entered a social contract where they gave up some of their inherent rights to create a government that would watch over them.<sup>7</sup> Burke believed the contract governing man meant at times even moral principles needed to be compromised for the greater good of society.<sup>8</sup> However, Burke did not believe there was an inherent right for individuals to retake their sovereignty once they agreed to partake in the social contract. This could only be done if the government neglected to fulfill the protection granted by the contract with its citizens.<sup>9</sup> The social contract was a concept that not only influenced Burke, but the leaders of the American Revolution as well, and as a result Burke's ideas worked their way into American political thought. The belief in a concession of rights in order to form government inherently promotes compromise and not only provides a better understanding of the definition of compromise, but also how it became rooted in the political system.

While Enlightenment ideals promote compromise, the reality of the application of these ideals during the American Revolution presents some of the complexities of

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<sup>7</sup> John Locke, *Two Treatises of Government: Book II* (London: Awnsham, Churchill, 1689), 94.

<sup>8</sup> Edmund Burke, "Reflections" from *The Miscellaneous Works of the Right Honourable Edmund Burke Vol. I* (New York: Eastburn, Kirk and Co. and West and Richardson and Oliver C. Greenleaf, 1813), 117.

<sup>9</sup> Frank O'Gorman, *Edmund Burke: His Political Philosophy* (Indiana: Indiana University Press, 1973).

compromise. Robert A. Ferguson examined the American Enlightenment from 1750 to 1820 as a part of *The Cambridge History of American Literature*. In his analysis Ferguson claims ideals were not the only guiding factor of the revolution, but that the founders crafted compromises to utilize the “rage” of the American people to unite them in revolution. This was achieved through a particular writing style that could be understood by the general populace and avoided controversial issues.<sup>10</sup> In essence, compromise was used to exploit a sense of unity as opposed to actually creating it. Ferguson presents the example of Franklin and Jefferson’s tactics of avoidance to further muddle the result of compromise and the use of Enlightenment ideals. He claims that the purpose of avoidance and silence is to “minimize and control difference.”<sup>11</sup> Silence therefore becomes compromise and leads to an internalization of national problems in the formation of the American identity. The idea of silence as a form of compromise is an important one that will be evident in the research and discussion in this paper.

John Morley wrote *On Compromise* first published in 1888, which offered a critique of the role of compromise in politics during that time. Morley was an English politician and theorist, who believed compromise had led to stagnation in politics and stifled issues that were not considered “practical.” He believed the American Civil War was one of the few times in the political history of that era where “expediencies of ordinary politics were outweighed by one of those supreme and indefeasible expediencies which are classified as moral.”<sup>12</sup> He classifies the victory of the end of slavery as an

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<sup>10</sup> Robert A. Ferguson, “The American Enlightenment” in *The Cambridge History of American Literature*, Vol. 1, ed. Sacvan Bercovitch (Cambridge: Cambridge University Press, 2008), 352.

<sup>11</sup> Ferguson, 363.

<sup>12</sup> John Morley, *On Compromise* (London: Macmillan and Co. Limited, 1917), 16.

outcome that transcends normal political need for compromise for the greater social good. Unfortunately, the political process inherently supports compromise as individuals are forced to “surrender some of what we desire, in order to secure the rest; and make us acquiesce in a second-best course of action, in order to avoid stagnation or retrogression.”<sup>13</sup> Morley refers to issues of moral complexity as “unpractical” political issues, which political institutions would prefer not to discuss, leading to compromising these issues in order to prevent them from entering the political debate. He recognized that compromise would always be necessary in politics; therefore it was necessary for those who were proponents of higher moral issues to take the time to discuss and prepare ideas for the political process to ensure they would be considered “practical.”<sup>14</sup> While theorists from Aristotle to Morley provide excellent arguments as to why compromise was necessary, they only mentioned how compromise was to be accomplished and what the different kinds of compromises were. More modern theorists have helped flesh out the actual process of compromise and clarify differences between compromises.

Barry Seltser conducted a study of American political compromise that attempted to better determine what happens during the compromising process and what is involved when the results of compromise are enacted. There are several key factors that Seltser felt needed to be present for any compromise to occur. One is that there needs to be some source of conflict that will spark the need to compromise. This is universal whether that conflict is based on physical boundaries, warring ideologies, or political policy;

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<sup>13</sup> Ibid., 101.

<sup>14</sup> Ibid., 98.

compromise is not necessary unless there is conflict.<sup>15</sup> Compromise is a complicated process and it is often case dependent and determined by what is required for compromise to succeed. Therefore, Seltser narrows his focus from general compromise to the specifics of what is required in political compromise. In political compromise there needs to be a conflict, which must have a solution, meaning all parties involved cannot simply walk away from the problem. In addition to this Seltser argues all parties must feel as if they had input in the compromise process.<sup>16</sup> He believes those two factors are what lead to the creation of compromise in politics. Whether the compromise is successful or not is another matter entirely.

Through his research, Seltser came to the conclusion that there are approximately eleven types of compromises utilized in American politics. While his data is based on interviews with senators and members of the United States House of Representatives in the 1980s, most of these types of compromises can be found throughout the history of U.S. politics. These different types of compromises can be categorized into four umbrella groups. The first is characterized by monetary or numerical values.<sup>17</sup> Such compromises are usually brought about when money is being allocated by the government, but are present in other historical debates, such as how many territories should enter the Union as free or slave states or how many slaves should be counted in a states census to determine their representation in the House of Representatives. The second category is the compromise over values. These compromises usually end up blending values, conceding

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<sup>15</sup> Barry Jay Seltser, *The Principles and Practice of Political Compromise* (New York: The Edwin Mellen Press, 1984), 7.

<sup>16</sup> Ibid., 25-26.

<sup>17</sup> Ibid., 108.

values or compromising to advance one's values down the road.<sup>18</sup> The third compromise category consists of compromises that result from the individual making the compromise to protect their self interest, which may even involve the sacrifice of one's moral stance. This sacrifice is most commonly used to keep their job or remain on favorable terms with a group or organization.<sup>19</sup> The final category is compromises that deal with perception and are usually technical in nature.<sup>20</sup> This may occur when a senator acknowledges an argument about an organization as legitimate as a courtesy to follow senatorial procedure even if it represents something they personally disagree with. Another example of this is when a representative delays a bill because the timing isn't right for it to pass successfully. Seltser's work on categorizing and finding patterns in compromise in American politics will be referenced again when we examine the specific compromises and actions during the debate over slavery.

There is another aspect of compromise referenced earlier, which is the question of what happens when a compromise is applied to a moral issue. The place of morality in politics can be complicated and many political theorists tend to tiptoe around moral issues by discussing them in vague terms. According to political philosophers, moral principles are compromised to serve the greater good of a nation, but the reality is in liberal democratic environments politicians who compromise their moral positions are

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<sup>18</sup> Seltser names these compromise categories: 1. The Glorious Middle: Splitting the Difference, 2. The Slippery Middle: Other Middle Numerical Grounds, 3. Muddling in the Middle: Other Middle Grounds, 4. Blending Values, 5. The Lesser Evil: Accepting the World as It Is, 6. Trading for Future Benefits, 7. Compromising Judgment for the Constituency, 8. Compromising Judgment for Senate Pressure, 9. Compromising Judgment for Reference Group, 10. Compromises of Honesty, 11. Compromises of Maneuvering.

<sup>19</sup> Seltser, 122.

<sup>20</sup> Ibid., 161.

often looked down upon.<sup>21</sup> This reveals the problematic duality of compromise in politics.

J. Patrick Dobel is another modern theorist who has written on compromise, choosing to focus on the relationship between compromise and morality. Dobel believes there are three different ways of dealing with moral claims in politics. One he classifies as “traditional conservatives” who use compromise to circumvent moral imperatives and political rhetoric and therefore avoid moral issues entirely.<sup>22</sup> In this instance compromise becomes the norm and maintains the status quo. The second group Dobel identifies is what he calls “prophets and agitators” who reject compromise to “transform the culture of justification and make moral protest central to politics.”<sup>23</sup> These individuals are often seen as extremists who cannot compromise or else they lose their credibility because they are defined and draw support from their ideals. The final approach involves moral claims in politics that Dobel describes as the Lincoln or Fessenden way, characterized by “political morality as driven by principles, but informed by vital considerations of prudence and politics.”<sup>24</sup> Individuals and groups that fall into this last category accept the limitations and circumstances that may prohibit them from reaching their ideals, but use their underlying principles as a guide to reach the best possible outcome. These three categorizes will be utilized in an analysis of individuals and groups during the debate over slavery in the following sections to help frame an understanding of the mentality that goes into the decision making process.

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<sup>21</sup> Susan Mendus, *Politics and Morality* (Cambridge: Polity Press, 2009).

<sup>22</sup> J. Patrick Dobel, *Compromise and Political Action: Political Morality in Liberal and Democratic Life* (Maryland: Rowman & Littlefield Publishers, Inc., 1990), 13.

<sup>23</sup> *Ibid.*, 14.

<sup>24</sup> *Ibid.*, 14.

Dobel, like many other political theorists, believes not all compromises are bad and are necessary in any liberal democracy. While Seltser included the necessity for all parties in a compromise to feel as if they had input into the compromise, Dobel believes that choice is one, if not the key part of a successful compromise. Dobel also posits that there is no room for coercion in a successful compromise in a democracy.<sup>25</sup> Coercion can lead to the path of tyranny and violence, which is the antithesis of what a free society, government, and compromises strive for.<sup>26</sup> Dobel's position on coercion in compromise is consistent with Burke's assertion that peace is the natural state of society and that England's tyrannical approach to the colonies in its refusal to compromise violated the peace of a natural democracy.<sup>27</sup> For both Dobel and Burke coercion does not lead to a true compromise, particularly when it comes to moral issues. Dobel indicates there are three dimensions to assessing if a compromise is morally good or right. The first of these dimensions is to have a full understanding of the positions of the individuals involved in creating the compromise. Second is whether the compromise supports the basic values of liberal and democratic life and institutions that are vital to achieving these principles. The problem with this is figuring out what those basic values are, which can then lead to compromises over those values. The third dimension to understanding a morally acceptable compromise is how the compromise is executed and the results of the compromise.<sup>28</sup> Due to the nature of morality anyone using these dimensions to examine any given compromise will come up with different results as to whether that compromise is considered "good" and "right." However, these three dimensions expose the different

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<sup>25</sup> Ibid., 44.

<sup>26</sup> Ibid., 107.

<sup>27</sup> Burke, "Letter to the Sheriff Bristol," 99.

<sup>28</sup> Dobel, 139.



aspects one needs to incorporate in order to fully understand the implications of a given compromise.

From this overview of concepts and characteristics of compromise we can derive certain overarching themes that will provide insight into the significance of compromise in the debate over slavery. Chief among these is the undeniable fact that compromise has and always will continue to exist in the democratic process. The acceptance and incorporation of different ideas and opinions is what separates a liberal democracy from totalitarian lines of thinking, but there will always be disputes over the precedence of values and how values should be reflected in government and society. This conflict is the root of compromise and compromise is the inherent solution in the democratic process. The resolution of the give and take from different organizations, individuals, and groups that make up a nation will determine if they are united under one government. The different types of compromises used in the political process further define what compromise is and will be important to keep in mind as they appear throughout the slavery debate. As we will see, the founding fathers believed that divisions and factions were harmful in the political process and that compromise and union were paramount for the future of the United States.<sup>29</sup> Every political action or law that is passed will require some type of compromise whether it be as simple as the delay in enacting a policy change or as complex as sacrificing elements of one's moral views, so that other aspects of the

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<sup>29</sup> James Madison *The Federalist Paper No. 10* (1787-1788), <http://www.ourdocuments.gov/doc.php?flash=true&doc=10&page=transcript#no-10> (6/6/13). *The Federalist Papers* are not the only example of founding fathers cautioning the development of political parties and factionalism. George Washington devoted a significant portion of his farewell address to the dangers of political parties claiming they are “destructive...and of fatal tendency...They serve to organize faction...to put, in place of the delegated will of the nation the will of a party.”

issue can be incorporated into law. It is evident on the one hand that most political theorists believe that compromise is necessary and more often than not should be the established goal in politics. On the other hand there are significant consequences to compromise, particularly when it comes to moral issues. While many of these theorists say that one's personal values and ideals should be compromised for the greater good of society, there certainly seems to be a negative connotation to this claim. When compromise is presented as the practical option it certainly does not always feel like it is the "right" course of action.

### **3. Compromise and the Constitution**

The debate generated by individuals and the content and consequences of this are what define compromise. We will now turn attention to the topic of slavery in the United States. The debate over slavery involves many complex compromises over the course of nearly a century of history. Before examining the slavery debate in New York and in 1850 it is prudent to briefly discuss the impact of compromise on the shape and relationship of slavery during the formation of the United States. From its very origins, the leaders of the United States were of divided opinion over the issue of slavery, which is evident during the American Revolution. The very first indications that slavery would be an issue sparking internal conflict among the colonists arose during the creation of the Declaration of Independence in 1776. The priority for the delegates of the Continental Congress was to ensure the Declaration would be a document universally accepted amongst the thirteen colonies in rebellion. While the final Declaration makes no specific mention of slavery, the first draft written by Thomas Jefferson contained a section

condemning Great Britain's involvement in the slave trade. The opening of this section declared that King George had:

Waged cruel war against human nature itself, violating it's most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither.<sup>30</sup>

These were harsh words stemming from a growing dissent among the colonists against barbaric treatment of slaves during their transportation from Africa to the Caribbean and North America. While by no means directly condemning the institution of slavery, attacking the slave trade and speaking in such frank moral terms did in fact pose a threat to the institution in the minds of many of the Southern delegates. Most historians believe that Jefferson was truly trying to abide by the revolutionary principles of liberty and equality by incorporating this attack on the slave trade in the Declaration.<sup>31</sup> However, the majority of the members of the Continental Congress either did not believe these principles need be applied to any aspect of slavery or were willing to compromise their ideals in order to maintain unity among the colonies.

The mentality of maintaining unity over any single issue was a prevalent one in the nation's early years and was not exclusive to the compromises made over the Declaration of Independence. Slavery would again prove to be a divisive issue during the Constitutional Convention of 1787 when delegates from the thirteen states came together to form the centralized government we are familiar with today. There were several points during the debate at the convention when it became abundantly clear that opinions on

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<sup>30</sup> Thomas Jefferson, *The Declaration of Independence Draft* (1776), <http://www.loc.gov/exhibits/jefferson/jeffdec.html> (11/28/12).

<sup>31</sup> Robert G. Parkinson "Manifest Signs of Passion," in *Contesting Slavery* ed. John Craig Hammond and Matthew Mason (Virginia: University of Virginia Press, 2011), 58.

slavery and the slave trade were divided. The most heated exchanges came from disputes over the perceived federal governmental powers in regard to allowing the slave trade to continue. On August 22, the issue came to a head as George Mason of Virginia argued that the United States should sever itself from the evils of the slave trade. Much like Jefferson, Mason believed that the connection to the slave trade “originated in the avarice of British merchants” and that “every master of slaves is born a petty tyrant.”<sup>32</sup> His moral convictions on the matter were clear and went so far as to accuse slaveholders of bringing “the judgment of heaven on [the] country.”<sup>33</sup> This instigated an immediate response by Southern delegates who saw Mason’s statements as not just an attack on the slave trade, but also on the institution of slavery as a whole. Charles Pinckney of South Carolina claimed, “if slavery be wrong, it is justified by the example of the world,” using ancient Greek and Roman cultures as examples of great states that used slavery for the “betterment” of those societies.<sup>34</sup> His cousin, Charles Cotesworth Pinckney, took particular offense to Mason’s accusations and declared that if the slave trade were impeded there would be no support from South Carolina or Georgia for the Constitution.<sup>35</sup> This threat of disunity had significant impact on swaying the minds of many of those who were not fervently against the slave trade to agree that the slave trade should go untouched by the federal government. The compromise that was decided on

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<sup>32</sup> Max Farrand, *The Records of the Federal Convention of 1787*, Vol. 2 (Connecticut: Yale University Press, 1911), 370.

<sup>33</sup> *Ibid.*, 371.

<sup>34</sup> *Ibid.*, 371.

<sup>35</sup> *Ibid.*, 371.

was that the federal government would not be allowed to pass legislation affecting the slave trade until 1808.<sup>36</sup>

It is important to keep in mind the context of what was on the minds of the leaders during and immediately after the revolution. The representative government they were attempting to establish was considered a great experiment and risk, particularly because it relied so heavily on the cooperation and unanimity of all thirteen states. There was legitimate concern that if the colonies became divided they might again fall under the control of a European colonial power. One of the best known supporters of abolition, Benjamin Franklin, urged for a great “coolness and temper” and that the delegates at the Constitutional Convention were there to “consult, not to contend, with each other.”<sup>37</sup> The priority for most of these men was uniting the country with a strong central government, which took precedent over any individual issue, even one like slavery that was steeped in moral principles. Edmund Randolph, another representative from Virginia, best summarized this position as he weighed in on the debate over the slave trade stating that on the one hand, “it would revolt the Quakers, the Methodists, and many others in the States having no slaves. On the other hand, two States might be lost to the Union.”<sup>38</sup> He ultimately was in favor of a compromise that kept all the states united under one government and felt this unity was more important than upsetting certain groups that were minorities in northern states.

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<sup>36</sup>Thomas Jefferson, *The Declaration of Independence* (1776), [http://www.archives.gov/exhibits/charters/declaration\\_transcript.html](http://www.archives.gov/exhibits/charters/declaration_transcript.html) (11/28/12).

<sup>37</sup> Benjamin Franklin, “Draft Speech,” June 11, 1787, <http://www.loc.gov/exhibits/treasures/franklin-newrepublic.html> (6/6/13).

<sup>38</sup> Max Farrand, *The Records of the Federal Convention of 1787* Vol. 2, (Connecticut: Yale University Press, 1911), 374.

Compromise was used as a means to avoid directly addressing the issue of slavery and the slave trade and appeared to support and protect the institution. Slaves were considered property and we must keep in mind that the American leaders aspired to the Enlightenment teachings of John Locke. Locke's teachings on the social contract and role of government specifically mention the importance of protecting one's right to property.<sup>39</sup> Many abolitionists and historians would claim that the Constitution created in 1787 was a proslavery document, even though the word slavery never appears in its contents. Historian David Waldstreicher argues the Constitution was designed to protect existing institutions and the rights of individuals within states. Combined with the fact that the majority of the designers of the Constitution were slaveholders, suggests the document was proslavery in design.<sup>40</sup> Waldstriecher furthers this argument by claiming that there were more compromises in favor of slavery than opposing it. The issue was not settled, but contained, as a majority of those in power did not consider answering the question of slavery a priority for the Constitutional Convention.<sup>41</sup> For individuals like Jefferson and Franklin, who opposed slavery, but accepted its protection during the early nation period, this was a compromise of the "lesser evil" or accepting the world as it is.<sup>42</sup> The decisions regarding slavery that were made by the leaders in forming the United States would have significant ramification for how later generations would deal with the issue. In the United States there has been and continues to be a focus on the legal precedent of the laws and decisions laid out during the Constitutional Convention.

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<sup>39</sup> Locke, 94.

<sup>40</sup> David Waldstreicher, *Slavery's Constitution: From Revolution to Ratification* (New York: Hill and Wang, 2009), 9.

<sup>41</sup> Ibid., 102.

<sup>42</sup> Seltser, 128.

Historian Paul Finkleman examined the impact of the compromises and decisions of the Convention on the legal system and court decisions within the United States. Court cases and arguments made for and against slavery were aligned with Constitutional precedents, which again do not mention slavery, but does establish the government's responsibility to protect the property of its citizens.<sup>43</sup> This precedent further supports the perspective that the Constitution in its original form was a proslavery document and contributed to the preference for politicians to compromise and maintain the status quo when it came to the issue of slavery.

#### **4. Gradual Emancipation in New York**

Slavery as an institution existed in some form in the state of New York until 1841. New York's first emancipation act would be passed in 1799 and would not free a single slave. In contrast, except for New York, New Jersey, and Delaware, all other northern states had passed an abolition law by 1784. The reason for New York's delay in ridding itself of the institution of slavery can be attributed to compromise. In order to understand why compromise affected the pace and way in which slavery was addressed, it will be necessary to examine the state's primary political proponents of abolition, the New York Manumission Society. The New York Manumission Society was formed on January 25, 1785, when a group of men met at the house of John Simmons "for the purpose of forming a society for promoting the manumission of slaves; and protecting such of them as have been or may be liberated."<sup>44</sup> On February 4, these men would meet again with an

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<sup>43</sup> Paul Finkleman, *An Imperfect Union: Slavery, Federalism, and Comity* (North Carolina: University of North Carolina Press, 1981).

<sup>44</sup> Minutes from January 25, 1785-November 21, 1797," in *New York*

impressive two hundred signatures of support to establish officers and create an official constitution for their society. This “abolition” society was the second of its kind in the United States, the first being the Pennsylvania Abolition Society, which was created in 1774.<sup>45</sup> As the New York Manumission Society modeled its goals and objectives after the Pennsylvania Abolition Society, their first priority was to lobby and support legislation that was beneficial for enslaved and free blacks. This would enable them to focus their efforts and resources to actually enforcing laws and make a tangible impact for the black populations of New York. To this end, their first objective was to attempt to pass a gradual emancipation law, and they set up a subcommittee to draft a petition to send to the New York legislature on February 10, 1785.<sup>46</sup>

Fortunately for the Manumission Society, there already was a gradual abolition bill being developed in the legislature by Ephraim Paine of the New York Senate, who had asked permission to write up a bill “declaring the freedom of the persons therein mentioned.”<sup>47</sup> In addition, a group of Quakers presented a petition for the Senate to consider the abolition of slavery in New York State on February 12, and their request was to be incorporated into the debate over Paine’s bill.<sup>48</sup> The Quakers at this time were not directly associated with the Manumission Society and their call for a complete abolition of slavery in the state was more radical than the gradual emancipation the Society was advocating. This leads to the interesting question of why was the Manumission Society advocating for gradual emancipation and what exactly was their stance when it came to

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*Manumission Society records*, Vol. 6, January 25, 1785.

<sup>45</sup> *Pennsylvania Abolition Society Constitution*, (Philadelphia: 1774).

<sup>46</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, February 10, 1785.

<sup>47</sup> *Journal of the Senate for the State of New York*, (New York, 1785), February 4, 1785.

<sup>48</sup> *Journal of the Senate for the State of New York*, (New York, 1785), February 12, 1785.



the issue of slavery? Were they in fact compromising their principles in order to effectively pass legislation or were they just moderate in their views toward the institution of slavery? In order to answer these questions it is important to examine the arguments the Society uses against slavery and the makeup of the Society itself. Most historians believe that it was a combination of religious moral righteousness and the revolutionary sentiment of liberty and freedom that created the antislavery sentiment in New York.<sup>49</sup> At their first meeting on February 4, the Manumission Society made the following statement:

The benevolent creator and father of men having given to them all an equal right to life liberty and property, no sovereign power on earth can justly deprive them of either, but in conformity to impartial government and law to which they have expressly or tacitly consented.<sup>50</sup>

In other words, the laws of men only applied to individuals who willingly submitted to those laws, which surrender their inherent rights granted to them by God. Slaves do not fall into the category of individuals willingly submitting to the United States government; yet, those in the Manumission Society believed slaves still had the rights of life, liberty, and property granted to them by God. The Society saw it as their “duty both as free citizens and Christians...to regard with compassion the injustice done to those...who are held as slaves, but to endeavor by lawful ways and means.”<sup>51</sup> Even though it seems that there was a great moral mandate for the Manumission Society to end slavery, they insisted on passing a gradual emancipation act, as opposed to an act that would result in

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<sup>49</sup> David Nathaniel Gellman, *Emancipating New York: The Politics of Slavery and Freedom 177-1827* (Baton Rouge: Louisiana State University Press, 2006).

<sup>50</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, February 4, 1785.

<sup>51</sup> Ibid.

an immediate end to the institution of slavery. The reason for this compromise over slavery can be explained by the makeup of the members of the society.

Many of these men were politicians and lawyers who were well acquainted with the moderate approach to government and understood that rapid change was not as welcomed as gradual change. This becomes very apparent during the 1785 debate in the New York State Assembly over the Gradual Emancipation Act. It is important to point out that some of the members of the Assembly may have also been members of the Manumission Society, as there are five names that appear in both the members' records of the Society and as assemblymen in the New York State Assembly.<sup>52</sup> Of these men, there is evidence that William Goforth, Ebenezer S. Burling, and John Lawrence may have been members of both the Society and Assembly. All three of these men supported the Gradual Emancipation Act during the debate, with Lawrence being the assemblyman to actually introduce gradual emancipation to the Assembly.<sup>53</sup> Lawrence and Burling attempted to amend and block legislation put forward by proslavery legislators throughout and were generally successful in doing so. The records of the Manumission Society indicate that William Goforth was elected to the standing committee to create the petition for the Gradual Emancipation Act for the legislature and eventually Goforth would become vice president of the Society.<sup>54</sup> The Society saw Goforth as an individual who was suited to generate presentable legislation for the New York State Assembly to

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<sup>52</sup> Ibid.

<sup>53</sup> *Journal of the Assembly for the State of New York*, (New York, 1785), February 10, 1785.

<sup>54</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, February 10, 1785.

consider, which was also consistent with his voting record for the Gradual Emancipation Act.

Unfortunately, the specific arguments of the 1785 debate were not recorded, but the amendments and voting records of individuals for these amendments were, and provide some evidence of what was said and debated over the Gradual Emancipation Act. If the act were passed it would have freed all slaves born after the passage of the act in an additional twenty-five years for men and twenty-two years for women.<sup>55</sup> There was some debate over how many years slaves born after the act should serve before being freed. Assemblyman Comfort Sands proposed the age be extended from twenty-five to twenty-eight for men and from twenty-two to twenty-five for women. Interestingly, William Goforth and John Lawrence, two of the strongest supporters of gradual abolition, voted for this amendment that would actually extend the time slaves would remain in bondage.<sup>56</sup> The reason for this may have been an attempt to compromise with proslavery legislators in order to garner more support for the bill in its entirety so that it was more likely to pass. If that were their reasoning, then it would seem they are conducting what Seltser calls a compromise of “trading for future benefits.”<sup>57</sup> This type of compromise accepts components that one might morally oppose because the passage of the bill means the difference between accomplishing some greater good verses no good with the bill’s defeat. However, this may not have been a compromise at all, especially when confronted

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<sup>55</sup> *Journal of the Assembly for the State of New York*, (New York, 1785), February 26, 1785.

<sup>56</sup> *Journal of the Assembly for the State of New York*, (New York, 1785), February 25, 1785.

<sup>57</sup> Seltser, 144.

with the question of why not advocate for immediate universal emancipation over gradual emancipation of slaves born after the passage of the act.

On February 25, assemblyman Aaron Burr proposed the following amendment to the Gradual Emancipation Act:

Be it enacted, That from and after the passing of this act all Negro, Mulatto, Indian, Mustee, or other person of whatsoever description, age, or colour, now holden, or claimed as a slave or slaves, by any citizen or inhabitant of this State, shall be, and hereby are declared absolutely free.<sup>58</sup>

The amendment would have changed the act from the proposed gradual emancipation of individuals after its passage, to immediate and universal emancipation. In other words, Burr was challenging the so called “liberal” Manumission Society and “liberal” politicians supporting this act to stand by their moral values and take their arguments to their logical and principled outcomes. The result was not a single assemblyman who supported the gradual emancipation of slaves voting for this amendment. In fact, the only individuals who voted with Burr for his amendment were individuals with proslavery sentiments, presumably to either try and radicalize the bill to the point where it would lose all support or in mockery of the notion of immediate abolition.<sup>59</sup> The Society’s acceptance of slave owners as members is the key to understanding why the Manumission Society would prefer to promote gradual emancipation over immediate

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<sup>58</sup> *Journal of the Assembly for the State of New York*, (New York, 1785), February 25, 1785.

<sup>59</sup> *Journal of the Assembly for the State of New York*, (New York, 1785), February 25, 1785. There are certain assemblymen who can be assumed to be proslavery in sentiment because of their voting patterns. Certain assemblymen consistently vote for amendments that benefit slave owners and then against the bill as a whole. These representatives come from counties with large slave populations, such as Kings and Ulster County. In the case of Burr’s amendment there may have been one individual who was sincere in his support and that was William Harper from Montgomery County. His constituency had relatively few slaves and his voting patterns throughout the rest of the debate do not indicate he was proslavery in sentiment.

abolition. From the Society's onset, slave owners were not required to free their slaves upon joining the Society, but were highly encouraged to do so. The Society's first and longest running president was John Jay, who was in fact a slave owner himself.<sup>60</sup> Jay once commented, "I purchase slaves and manumit them at proper ages, and when their faithful services shall have afforded a reasonable retribution."<sup>61</sup> While the Manumission Society may have described slavery as a great moral evil, they had to compromise because of the fact that many of the Society's members had a vested interest in the institution and therefore had to take a more moderate approach to ending the institution in the State of New York. It was apparent with the defeat of Aaron Burr's amendment that the gradual approach, not the immediate, would be more successful at gaining support in the New York State legislature.

The 1785 Gradual Emancipation Act would be passed by both the New York Assembly and Senate, but would be vetoed by the Council of Revision, which served a similar function to the executive branch at the federal level. The Council of Revision was comprised of the Governor and several New York judges who could veto any law passed by the Assembly and Senate and force them to either overturn their veto or incorporate suggested changes. The reason the Council gave for vetoing the bill was that there was a clause in the bill that denied Black voting rights, which directly contradicts the founding principles of the United States.<sup>62</sup> They correctly claimed that denying newly freed Blacks

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<sup>60</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, February 4, 1785.

<sup>61</sup> John Jay and Sarah Livingston Jay, *Selected Letters of John Jay and Sarah Livingston Jay*, ed. Landa M. Freeman, Louise V. North, and Janet M. Wedge, (North Carolina: McFarland & Company Inc., 2005), 299.

<sup>62</sup> Alfred B. Street, *The Council of Revision of the State of New York; Its History...And the Vetoes* (New York: William Gould, 1859) 268.

the right to vote would be equivalent to Great Britain's denial of representation that resulted in the colonies declaring independence.<sup>63</sup> The bill was then sent back to the legislature where the Assembly and Senate would have to either override the veto with a two-thirds majority or amend the bill to incorporate the Council's criticisms. While the bill received the two-thirds majority in the Senate it failed to garner the two-thirds majority in the Assembly with a vote of twenty-three to seventeen in favor of overriding the veto.<sup>64</sup> Compromise was defeated in this instance by the narrowest of margins, but it did provide some hope for the possibility of passing a gradual emancipation law in the future.

The failure to pass a gradual emancipation act was a huge blow to the Manumission Society, but the society survived and held its next meeting on November 10, 1785. In the minutes of this meeting it is acknowledged that while the Gradual Emancipation Act failed to pass, the Society was encouraged by the amount of support it garnered in the legislature.<sup>65</sup> William Goforth from the standing committee proposed the Society create its own policy for its members to manumit their slaves.<sup>66</sup> His proposal resolved that if a slave was born into the service of a member, they were to be freed at twenty-eight years of age and if a member of the society bought a slave, they were to

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<sup>63</sup> Ibid. 267.

<sup>64</sup> *Journal of the Assembly for the State of New York*, (New York, 1785), March 26, 1785. The debate and amendments proposed were again over the rights of newly freed slaves, which also had the potential to impact freed blacks already living in New York. While there seemed to be enough support at this time for the passage of gradual emancipation there was not a coherent position or option presented to determine the fate of ex-slaves in the eyes of the law, ultimately resulting in the bill's failure at this time.

<sup>65</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, November 10, 1785.

<sup>66</sup> Ibid.

work for twenty years before their master was required to manumit them.<sup>67</sup> If a member already owned a slave, the slave was to be freed at the age of twenty-eight if they had been enslaved for at least twenty years. If they were older than twenty-eight, they were to be freed at thirty-five and if they were older than thirty-five and had been enslaved for at least twenty years they were to be freed in seven additional years.<sup>68</sup> This policy passed without much debate and was presumably enforced by the standing committee. The accommodation of slave owners by the Manumission Society again reveals how the Society compromised over the enforcement of moral values, which also helps explain their success in gaining support from the legislature. There was more middle ground for the Manumission Society and their supporters to stand on with proslavery supporters. It created an understanding that there was a sense of entitlement to acquiring some profit from slaves before manumission, as slaves were seen as property, which was a protected American value.

After the defeat of the Gradual Emancipation Act in 1785, the Manumission Society turned their attention to encouraging manumission at a private level and lobbying for the end of New York's involvement in the larger slave trade. The Society believed that if some of their members manumitted some of their slaves, that this example along with the distribution of pamphlets by the Society explaining that manumission was morally right, would help encourage others to manumit.<sup>69</sup> On May 11, 1786, the Manumission Society drafted a petition to the legislature that would prohibit the sale of slaves outside of New York. Their reasoning for this was that slavery in New York was

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<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

<sup>69</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, February 7, 1786.

more “tolerable and easy” and the treatment of slaves in the South and West Indies was severe and morally wrong.<sup>70</sup> This argument is significant for two reasons. One, it helps explain how the Manumission Society can uphold the moral argument against the institution of slavery and not implicate and alienate slaveholders both within and outside their organization, whose support they would need to pass legislation. The second reason for its importance was it created a coalition that enabled slaveholders in the North to join abolitionists and take an antislavery position by blaming the South for the moral wrongs of slavery. In a sense this was a compromise that acted as a stepping-stone towards ending slavery in the North by permitting it to continue, but only if it was separated from the morally reprehensible South. The creation of a coalition can be interpreted as a type of compromise that is often necessary to help obtain enough power or votes necessary for legislative passage that incorporates moral issues, but requires sacrificing certain elements or values of one’s argument.<sup>71</sup> This tactic had more successful results than the Gradual Emancipation Act. As previously discussed, the horror of the treatment of slaves during their transportation and sale already was an issue on the minds of many influential men during this time. The end of the slave trade was clearly a goal that abolitionists saw as a compromise victory that would help lead to the eventual end of slavery.<sup>72</sup> In 1788, a bill prohibiting the exportation and importation of slaves would finally remove New York from the slave trade. The Manumission Society saw this as a great victory since it gave them a legal way to help end slavery by freeing slaves who were being illegally

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<sup>70</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, May 11, 1786.

<sup>71</sup> Dobel, 178-29.

<sup>72</sup> Gellman, 68.



purchased or sold.<sup>73</sup> However, in this victory it became apparent that in order to unite a majority of the North behind antislavery sentiment it would require compromise and externalizing the true threat of slavery as a Southern evil.

After almost fifteen years of slowly restricting slavery in the State of New York the Manumission Society again attempted to pass a gradual emancipation law in 1799. The law was nearly identical to the one they attempted to pass in 1785, with the exception that it did not mention the voting rights of the freed slaves, which was the disputed issue that defeated the bill in 1785.<sup>74</sup> Most of the Assembly and Senate were in favor of the bill, with the only major point of contention being who would pay for the upkeep of ex-slaves if their owners chose to manumit their slaves before they reached an age when they could maintain a livelihood.<sup>75</sup> It was decided that the state would treat these children as paupers and placed them in the charge of the state's proprietor of the poor, who would then pay someone to look after the child and teach them a trade until the children were old enough to provide for themselves.<sup>76</sup> After the law was passed some slaveholders would exploit this section of the law by manumitting their slaves who were then given back to them by the state because the master was seen as a fit individual to

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<sup>73</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, February 21, 1788.

<sup>74</sup> 1799 Gradual Abolition Act. "An Act for the gradual abolition of Slavery," March 29, 1799, in *Laws of the State of New York, Passed at the Twenty-Second Meeting of the Legislature Begun...the Second Day of January 1799* (Albany: 1799), 721-723, quoted in David N. Gellman and David Quigley, *Jim Crow New York: A Documentary History of Race and Ownership, 1777-1877* (New York: New York University Press, 2004), 52-55.

<sup>75</sup> *Journal of the Assembly for the State of New York*, (New York, 1799), January 31, 1799.

<sup>76</sup> Ibid.

ensure they learned a trade.<sup>77</sup> In addition, the gradual emancipation law did not actually free any slaves, merely setting a future date when slaveholders would be forced to free slaves born after 1799. It certainly was a compromised victory for the Manumission Society and other proponents of abolition who recognized the “prejudice [towards]...the unhappy subjects...often considered as a race of beings of inferior rank in the order of Creation and often despised as such.”<sup>78</sup> The gradual emancipation law did little to change those prejudices or help those “unhappy” people bound to forcibly work by an institution that many of these antislavery individuals clearly defined as immoral. Through these small steps all slaves would be universally emancipated on July 4, 1821, which coincidentally also provided slaveholders with the twenty-one years they were promised in 1799, allowing them to generate some profit from their former “property” before being required to set them free.<sup>79</sup>

The process of ending slavery in New York was steeped in compromise, which illustrates the success of compromise to directly address the question of slavery. However, the question remains as to why compromise succeeded here while the issue resulted in a break up of the Union in 1860? One of the factors was scale and the perception of federal and state roles in relation to slavery. The fact that a gradual end to slavery was taking place at the state level makes a significant difference in both the

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<sup>77</sup> L. Lloyd Stewart, *A Far Cry From Freedom: Gradual Abolition (1799-1827)* (Bloomington: AuthorHouse, 2006). When a manumitted child was given to a charge to learn a trade the state government would compensate them, which created a loophole that effectively allowed slaveholders to acquire monetary compensation for “freeing” their slaves.

<sup>78</sup> Minutes from January 25, 1785-November 21, 1797, in *New York Manumission Society records*, Vol. 6, February 21, 1788.

<sup>79</sup> Stewart, 324-25. Part time residents were still allowed to keep their slaves with them for the time they were present in New York, which technically extended slavery’s existence in New York until 1841 when the state outlawed this practice.

opposition and reception of the idea. From the Constitutional Convention it was evident that the majority opinion on the issue of slavery, and more specifically the slave trade, was that it was up to the individual states to decide the institution's fate within their state boundaries. In the instance of New York, there were only New York politicians dealing with other New York politicians and because they shared enough common ground in their beliefs, they had more "empathy" and understanding for the positions of their opponents. In New York there were approximately twenty thousand slaves in 1790 and fifteen thousand six hundred in 1800, which was few in number compared to the hundreds of thousands of slaves in the Southern states.<sup>80</sup> The slaves in New York were used as day laborers or domestic servants and were not as integrally connected with the overall economy of New York, unlike slaves in the South who served as the backbone of Southern plantation economy. The gradual ending of slavery in New York lessened the monetary loss and the impact on slaveholders and the state's overall wealth. In other words, there was not as much at stake for slaveholders in New York as there would be with slaveholders in the South.

From a moral standpoint the Manumission Society and antislavery proponents in the legislature created a moral paradigm that was not absolute because many of them were themselves connected with the institution of slavery. This enabled them to be more flexible with their demands and goals to end slavery in the state and therefore compromise was an acceptable solution to meet those ends. Interestingly, it was because the more liberal minded antislavery advocates were willing to compromise and respect the rights of slave holders that they were able to appeal to moderates and therefore

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<sup>80</sup> 1790 and 1800 United States Census, (Philadelphia: United States Government) <http://www.census.gov/prod/www/decennial.html> (5/23/13).

outnumber proslavery advocates. Throughout the debate and amendment processes it is apparent that those in favor of slavery are not willing to compromise at first, but only do so when they realize that the numbers are against them. Only one of the “extremes” was unwilling to compromise in this situation, which was why compromise succeeded.

Morality may have been the impetus for attempting to end slavery in New York, but it didn’t dominate and define the debate. This explains why the proposal in New York represents the compromise category of “practical” because it does not place emphasis on an exclusive moral point of view.<sup>81</sup> Because the compromises didn’t directly affect those who were enslaved in New York it is safe to preclude that these compromises are not morally right. While these compromises led to the eventual end of slavery, they failed to live up to what was touted as justice and the values of liberty and freedom upon which the United States was founded.

## **5. The “Slavery Question”**

The Compromise of 1850 marks an important turning point in United States history as it became apparent that compromise could barely hold the nation together as the debate over slavery pushed it further apart. The United States was a different place in 1850 than it was when it was first formed in 1787 with the Constitutional Convention. While the principles and framework laid out in 1787 had remained relatively unchanged, the political climate, societal values, and even the physical space of the country were very different from the early nation period. With the Louisiana Purchase in 1803 and the end of the Mexican-American War in 1848 the United States now controlled almost three

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<sup>81</sup> Dobel, 120.

times as much territory as it did after the Revolutionary War. There were now thirty states in the Union and the political parties that led the nation at the time were the Democrats and the Whigs. Andrew Jackson formed the Democratic Party during the 1830s. Heralded as the “people’s party,” it was marked by pro-expansionist policies, which included the war with Mexico. The Whig Party was popular among the social elite, who believed that congress had supremacy over the presidency and were typically more invested in the modernization and industrialization of the U.S. economy.<sup>82</sup> When it came to the issue of slavery both parties found themselves internally divided, which usually fell along sectional lines.

The acquisition of new territory at the end of the Mexican-American War brought the debate over the issue of slavery to the national stage once again. The last time the issue had seized the attention of Congress and the nation was in 1820 when there was a threat of imbalance among free and slave states, which had the potential to create an imbalance of power within the Senate. This resulted in a compromise that required all territories from the Louisiana Purchase above the thirty-six, thirty degree parallel, with the exception of Missouri, to come into the Union as free states and all territories below the line to come into the Union as slave states.<sup>83</sup> In 1848 the new territory acquired from Mexico again threatened the balance of power in the Senate depending on how many of those territories entered the Union as free or slave states. This put pressure on the thirty-first Congress to solve these complicated problems without causing the nation to potentially spiral into a civil war.

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<sup>82</sup> Michael F. Holt, *The Political Crisis of the 1850s* (New York: John Wiley & Sons, Inc., 1978).

<sup>83</sup> *Annals of Congress*, 1820, 548.

Much like the nation, New York had gone through a series of changes since the Manumission Society first advocated for gradual emancipation in 1785. A significant change was that the Manumission Society was not the only major antislavery organization in New York anymore. The American Anti-Slavery Society founded by William Lloyd Garrison and Arthur Tappan was headquartered in New York City. The object of the society was the “entire abolition of slavery in the United States,” which earned them the label of radicals even though their own constitution states that they would attempt to achieve this goal “in a constitutional way.”<sup>84</sup> However, divisions grew within the organization over how to go about ending slavery, with some arguing that this would require working with the existing governmental structure and others stating the government was flawed and change could never occur with the government’s current form. Those that chose to commit themselves to promote antislavery views through government usually found themselves supporting Whig candidates or third party candidates, such as the Liberty and Free Soil Parties.<sup>85</sup> The mere presence of a more national and liberal organization than the Manumission Society exemplifies the progress and development of the debate over slavery, with New York often serving as a meeting ground for abolitionist groups throughout the nation.<sup>86</sup> The origins of antislavery arguments voiced by the Manumission Society and appropriated by these new groups ensured the survival and growth of antislavery sentiment in New York.

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<sup>84</sup> *Constitution of the American Anti-Slavery Society*, (Boston: 1838).

<sup>85</sup> Denis Tilden Lynch, *Boss Tweed: The Story of a Grim Generation* (New York: Boni & Liveright Inc., 1927), 63.

<sup>86</sup> Roi Ottley and William Weatherby, ed., *The Negro in New York: An Informal Social History* (New York: Oceana Publications, 1967), 100-101.

On the other side of the political spectrum in New York was the conservative Democratic machine that most famously stemmed from Tammany Hall in New York City. This organization had established itself as a political powerhouse in New York State having cemented its power around 1800 and in 1848 had fallen under the control of William M. Tweed.<sup>87</sup> Tweed and his associates supported Democratic politicians that were lenient towards corruption and kickbacks and they were not above strong-arming and buying votes. New immigrants to New York provided a sizable constituency that supported the Democratic machine and were generally proslavery in sentiment because they feared the freed slaves would take away their jobs.<sup>88</sup> The Democrat's reliance on immigrants, combined with a need to maintain their alliance with Southern Democrats, created a very strong proslavery faction within the state of New York.

New York was as divided as the nation when it came to the debate over slavery and when that debate took center stage in the United States Senate the two senators from New York played very important roles in the compromise process. The senators were Daniel S. Dickinson and William H. Seward, two men who were on completely different ends of the political spectrum when it came to the issue of slavery. Both of these men in their own way would come to oppose the compromises proposed during the debate that lasted from December 1849 until September 1850. Dickinson served in the United States Senate as a Democrat since 1844 filling a vacancy caused by the resignation of Nathaniel P. Tallmadge. His political loyalties in New York fell in line with the conservative

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<sup>87</sup> Lynch, 51.

<sup>88</sup> Barnett Schecter, *The Devil's Own Work: The Civil War Draft Riots and the Fight to Reconstruct America* (New York: Walker & Company, 2005). This fear of free blacks taking the jobs of immigrants carried over and resulted in the New York City draft riots during the Civil War.

Tammany Hall Democrats. He chaired the Committee on Finance in the Senate and having sat through the annexation of Texas, the war with Mexico, and the subsequent debate beginning in 1846 over what would be done with the territories acquired from Mexico, was considered an experienced senator who was devoted to the Constitution above all else.<sup>89</sup> He believed the Constitution was the key to peace and the avenues laid out by the Constitution were sufficient to address any grievances individuals could have with the government.<sup>90</sup>

William H. Seward was beginning his first term as a United States senator during the debate over slavery in 1850. His origins in New York politics emerged from his friendship with one of the most prominent Whigs and political organizers, Thurlow Weed. Seward was elected governor in 1838, but only served one term as many of his views and policies were seen as “radical,” particularly when it came to slavery.<sup>91</sup> Many abolitionists had little difficulty supporting Seward because of his antislavery positions, which would earn Seward the ire of many of his fellow Whigs who wanted to avoid the issue of slavery. Seward was well aware of how unpopular many of his progressive views were and tried to mitigate any potential damage they could cause many of his allies within the Whig Party, such as when Zachary Taylor ran for president.<sup>92</sup> Nonetheless he felt it was his duty to champion the end of slavery’s expansion and the slave powers’ hold on government, which was his mindset when entering the compromise debates in 1850.

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<sup>89</sup> Daniel S. Dickinson, *Speeches, Correspondence, Etc., of the Late Daniel S. Dickinson of New York Vol. I* edit., John R. Dickinson (New York: 1867), 5.

<sup>90</sup> Ibid., “Address to the Irish Repealers.” 125.

<sup>91</sup> Glyndon G. Van Deusen, *Thurlow Weed: Wizard of the Lobby* (Boston: Little, Brown and Company, 1947), 115.

<sup>92</sup> William H. Seward, “Letter, February 1<sup>st</sup> 1849 to James Watsin Webb.” In this letter Seward declines openly endorsing Taylor because he feared his views on slavery would give more Whigs a reason to oppose Taylor than support him.



The aging congressional veteran Henry Clay from Kentucky conceived the Compromise of 1850 with his allies Daniel Webster from Massachusetts and Henry Foote from Mississippi. Their purpose was to keep the nation together by crafting and guiding a piece of legislation that would incorporate components that would appeal to both proslavery and antislavery congressmen. Tensions arose in the United States Senate over the new territory acquired from Mexico. In 1846, before the war had even officially ended, what became known as the Wilmot Proviso was introduced to an appropriations bill, which denied funds unless slavery was prohibited in any conquered lands.<sup>93</sup>

Northern politicians who did not wish to see slavery's expansion into new territory had soundly supported this piece of legislation. Their reasoning varied from moral obligation to the fear that slaves would create unfair competition for free northern laborers moving to those territories. Proslavery politicians used the proviso as proof of northern attempts to marginalize them and potentially put an end to the institution of slavery. The proviso caused such mistrust in October of 1849 that a meeting of all slave-holding states was organized in Nashville Tennessee where the topic of secession was to be considered.<sup>94</sup>

Clay and his allies shared the compromise mindset of the nation's founders and believed that the Union took precedent over any one issue. They knew their task would be a difficult one and they dreaded the necessity of addressing the issue of slavery, but after working through the month of January, as the debate raged around them, Clay finally proposed a compromise on January 29, 1850. Clay's proposal contained five main points he believed would appeal to enough senators to pass as a single bill. These points

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<sup>93</sup> Holman Hamilton, *Prologue to Conflict: The Crisis and Compromise of 1850* (Kentucky: University of Kentucky Press, 1964), 8.

<sup>94</sup> *Ibid.*, 12.

were: the admission of California as a free state, organizing the Utah and New Mexico territories without prohibition of slavery, establish the boundary of the New Mexico territory and Texas, pass a fugitive slave law, and finally prohibit the slave trade, but not slavery in the nation's capital.<sup>95</sup> This type of compromise required both sides of the slavery question to accept resolutions that they opposed on principle in order for some resolutions that they did agree with to pass. It is here that some inherent problems with Clay's proposal for compromise first come to light. One of the problems has to do with numbers. The compromise succeeded when it came to the issue of gradual emancipation in New York, in part because one side of the argument agreed to compromise in turn swaying a number of moderates in their favor. A compromise proposed from the middle perspective, which does not explicitly favor one side of the debate over the other may not gain enough support from either side to create a majority to accept the compromise. By not taking an exclusively antislavery or proslavery stance Clay made things more difficult for himself as he now had to try and appeal to both extremes instead of just one. To be fair, Clay's perception of his own proposal was it asked the north to give up much more than the south and therefore he thought his efforts would only need to convince the north of adopting the compromise.<sup>96</sup>

Another problem for the Compromise of 1850 was the perception of what was at stake should each side compromise. For slaveholders any legislation threatening the institution of slavery in any way, even if it was only the restriction of it, had always been perceived as potentially disruptive to the economy, culture, and personal wealth of the southern states. This was what sparked the compromises during the Constitutional

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<sup>95</sup> *The Congressional Globe*, Senate, 31<sup>st</sup> Congress, 1<sup>st</sup> Session, (1850), 244-247.

<sup>96</sup> Hamilton, 54.

Convention, where a majority of the political leaders had capitulated to Southern demands of protection for their property, even if some of those leaders held antislavery sentiment. If anything the proslavery argument had stiffened, unwavering in their commitment to not compromise on any issue that could lead to prohibitions on slavery. The most vocal proponent of this belief was John C. Calhoun of South Carolina. Calhoun was another seasoned politician and senator having served as a U.S. senator, member of the House of Representatives, Secretary of State, and Vice President during his career.<sup>97</sup> Calhoun's famous speech made on March 4 spelled out clearly that:

The South is united against the Wilmot proviso, and has committed itself, by solemn resolutions to resist, should it be adopted. Its opposition is not to the name, but that which it proposes to effect...to destroy irretrievably the equilibrium between the two sections [of the Union].<sup>98</sup>

Calhoun and his southern colleagues dug in their heels and turned to the tactic of threatening disunion should the current debate over slavery favor any antislavery legislation.

Now that the reason for maintaining an uncompromising position has been established, it is important to understand the arguments proslavery advocates used to defend their position. The most common tactic was to turn slaveholders into victims of attack by unconstitutional abolitionists who were attempting to tear apart the nation with their radical ideas. Turning to the Constitution as a justification for the protection of slavery was not exclusively a Southern slaveholder argument. Senator Dickinson from New York, who believed the Constitution took precedence over all else, shared this proslavery belief. As previously discussed Dickinson was a conservative Democrat and in

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<sup>97</sup> Irving H. Bartlett, *John C. Calhoun: A Biography* (New York: W.W. Norton & Company, 1993).

<sup>98</sup> *The Congressional Globe*, March 4, 454.

his mind he was not a proslavery advocate, he was a Constitution loyalist.<sup>99</sup> He openly admitted that he felt slavery was morally wrong, but obligations were made at the nation's founding that left the fate of the institution of slavery to the individual states. Dickinson believed that "the question of slavery has been placed beyond the reach of Federal legislation by the compromises of the Constitution."<sup>100</sup> Though Dickinson supported slavery constitutionally, he could not stand for the Southern threat of secession. For Dickinson the two greatest threats to the compromise process were the radical northern abolitionists and the fanatical southern secessionists.<sup>101</sup> Dickinson was a northern ally of the South, who wanted compromise to succeed, but not at the expense of compromises already made.

Dickinson and the Southern proslavery advocates placed the Constitution on a metaphorical pedestal, where it was conceived as untouchable. The agreements and laws created at the Constitutional Convention were the beacon that would guide the nation through any storm created by political turmoil. This poses some interesting questions when it comes to compromise. Should earlier compromises be upheld and prevent current issues from being resolved through compromise? If the answer to this is yes, then compromise actually hinders the ability to compromise in the future. It creates a cycle that perpetuates the status quo and leaves no room for fundamental change. This is what J. Patrick Dobel would characterize as a "traditional conservative" use of compromise. In many ways this was what men like Dickinson wanted because change had the potential to tear apart the nation, even if that change represented a moral high ground.

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<sup>99</sup> Dickinson, "October 21, 1856, Democratic Mass Meeting," 541.

<sup>100</sup> Dickinson, "Admission of Texas," 127.

<sup>101</sup> Dickinson, "Letter to Henry S. Randall," 425.

Many Americans shared the views of Dickinson who both supported and opposed compromise when it came to slavery. He received several letters of praise for his “excellent and patriotic remarks in relation to the slavery agitation.”<sup>102</sup> Dickinson supported Clay’s compromise to an extent, though his comments on the issue of slavery usually favored and fueled Southerners who were much less willing to compromise in any aspect. Dickinson believed that the people of the North generally thought that slavery was evil, but did “not intend to provoke sectional jealousies and hatred by ill-timed and misplaced discussions.”<sup>103</sup> This view does reflect the sentiment of many in the North, but the “fanatical” thinking of stopping slavery’s expansion had taken hold with many others. Stopping the expansion of slavery was seen as a moral position that could oppose the evils of slavery, but still maintain the Union by allowing the South to keep their slaves. These “freesoilers,” a term used for individuals who wanted to stop slavery’s expansion, and hardened abolitionists formed the other side of the debate in 1850 that refused to compromise. This side of the debate was where Dickinson’s fellow senator from New York, William H. Seward, led the charge against the compromises proposed, unless they included a halt on slavery’s expansion.

Dickinson described Seward’s view on the issue of slavery as radical and originating with abolitionists, making sure that the rest of the Senate knew that Seward’s views were not those of all New Yorkers. While Dickinson was for compromise in principle, but against it in action, Seward was against compromise in both. Seward believed that the free states needed to make a stand against slavery and saw the Compromise of 1850 as an opportunity to assert their principles of free labor, which had

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<sup>102</sup> Dickinson, “Letter from William Maroy,” 428-29.

<sup>103</sup> Dickinson, “Letter to Mr. Orr,” 475.

no place for slavery.<sup>104</sup> Seward's first major contribution to the debate in 1850 was perhaps one of the most famous speeches of his entire career. On March 11, Seward rose to his feet to deliver what would become known as his "Higher Law Speech." In this speech Seward explains what he believed is at stake in this compromise. Like many of his colleagues, Seward believed the results of this debate had the potential to split the nation in two. He saw the debate as a turning point for the nation, where the nation could pursue a path free of slavery by restricting slavery to the Southern states where it would gradually die out. This required individuals in the Senate to take a stand and no longer compromise with the slave powers because "all legislative compromises, which are not absolutely necessary, [are] radically wrong and essentially vicious."<sup>105</sup> The free labor society of the North was now comprised of a majority of the nation's population and to give the minority slaveholding population a type of veto power, by requiring a balance between free and slave states, would remove all traces of democracy from the government.<sup>106</sup> This change in power was something that was derived from the nations origins and as the power balance shifted with growing population the governmental structure ensured that there would still be representation for different parties.<sup>107</sup> For this reason the slave states were unjustified in their call for secession because the nation was simply changing naturally, which was something that was beyond their control.

To further his argument of why slavery was a moral wrong and could no longer be compromised, Seward, like many of his opponents, turned to the Constitution. One of

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<sup>104</sup> William H. Seward, "Letter to Dudley Phelps," February 15, 1850.

<sup>105</sup> William H. Seward, "Freedom in the New Territories," in *The Works of William H. Seward Vol. I*, ed. George E. Baker, (New York: 1853), 60.

<sup>106</sup> *Ibid.*, 63.

<sup>107</sup> *Ibid.*, 83.

the key aspects of the Constitution was that it never directly mentions slavery and when it alludes to slaves it refers to them as “other persons.” The terminology of “persons” separates them from the “property” label that proslavery advocates used to claim that the government was obligated to protect the institution due to the Constitution guaranteeing a right to property. Therefore, slaves were human beings and were entitled to the basic human rights of life, liberty, and the pursuit of happiness. Seward concluded that the American people “cannot...be either true Christians or real freemen if we impose on another a chain that we defy all human power to fasten on ourselves.”<sup>108</sup> He was in fact combining the interpretation of Constitution as the definitive doctrine on principles in the United States and traditional moral religious sentiment. In doing this he asserts that there is a “higher law than the Constitution, which regulates our authority over the domain” or in other words, that the moral authority and philosophy of God takes precedent over what was written in the Constitution. Seward suggested that the founders of the country were guided by these moral principles when they stated that all men are created free and equal, but it was compromise that allowed an institution that did not adhere to these principles to continue to exist. In Seward’s mind this was the opportunity to finally set a course to achieve the moral principles on which the nation was founded. Seward felt that each senator who was involved in this debate was putting their personal integrity on the line over the moral question of slavery and if they were to compromise they would have to take responsibility for the consequences of doing so and Seward felt he could not do that.

Clay’s compromise bill collapsed on July 31, when Senator James A. Pearce of Maryland motioned to strike out the section of the bill that related to the territorial

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<sup>108</sup> Ibid., 67.

boundary of New Mexico and Texas. Soon all the components of the bill were struck out except for the establishment of the Utah territory.<sup>109</sup> In an attempt to create a bill that had something for everyone it satisfied no one. This of course was not the end of the other four components of Clay's compromise bill. Stephen A. Douglas, the Democrat Senator from Illinois, was determined to pass these compromise measures and decided on changing them to four separate bills to be voted on individually. Douglas would use political maneuvering and pressure to gain enough votes for the passage of each bill. The most controversial of them related to slavery was the bill that revitalized a fugitive slave act, which found twenty-one senators absent from voting when the Senate brought the bill to a vote. A combination of pressure from President Fillmore and exhaustion from nearly nine months of debating the subject resulted in key senators who opposed the bill, such as Seward, to not vote or be absent during this process.<sup>110</sup> Ultimately, the Compromise of 1850 would stave off secession and civil war for another ten years, but was the compromise truly successful or was the situation worsened by the attempts to find a middle ground?

Many Americans rejoiced at the passage of the compromise acts and breathed a sigh of relief that the Union remained one nation.<sup>111</sup> However, the two sides that were pulling the nation in opposite directions over the issue of slavery were not satisfied. Each side was content with the passage of the acts they favored, but in their minds it came with a price. The institution of slavery may have been untouched, but its proponents were far from satisfied it would remain that way. Many of the senators wanted to include

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<sup>109</sup> Hamilton, 110.

<sup>110</sup> Fergus M. Bordewich *America's Great Debate: Henry Clay, Stephen A. Douglas, and the Compromise That Preserved the Union* (New York: Simon & Schuster, 2012), 325.

<sup>111</sup> *New York Times*, "Topics of the Day," September 20, 1851.



legislation that would permanently guarantee that the federal government could not create laws which impact slavery. What they got were vague promises and the potential for New Mexico and Utah to come into the Union as slave states through popular sovereignty.<sup>112</sup> On the other side of the political spectrum antislavery advocates were forced to contend with the new Fugitive Slave Act. This galvanized antislavery positions further in the North because now Northern citizens were obligated to participate in the institution of slavery by acting as slave catchers for the South.<sup>113</sup> Seward at first remained publicly silent on the issue of the Fugitive Slave Act. The death of President Taylor in 1850 and the change of political leadership in the Whig party in favor of the new President Millard Fillmore created a new dynamic in the party's position towards slavery. Fillmore was also from New York and had significant influence with many of the Whigs in the state and held a grudge against Seward for carrying more influence in the Taylor administration. When he came to power he supported the compromise and labeled Seward's views as falling outside the party's ideology.<sup>114</sup> Seward was forced to compromise over how public he could make his views in order to maintain support within the Whig Party. Privately he condemned the Fugitive Slave Act and did propose to amend the act when it came under review to provide a trial for accused fugitives to prevent kidnapping of innocent free Blacks.<sup>115</sup> While Seward may have had to tone down his rhetoric it did not change the fact that the compromise measure had failed to satisfy

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<sup>112</sup> Popular Sovereignty was a process that Stephen Douglas favored, which had the territory decide upon entering the Union as a state if slavery was to be allowed or not.

<sup>113</sup> *The National Era*, "Letter from Hon. Washington Hunt-The Washington Union," October 24, 1850.

<sup>114</sup> Frederic Bancroft *The Life of William H. Seward* (New York, 1900), 278.

<sup>115</sup> William H. Seward, "To the Massachusetts Convention," in *The Works of William H. Seward Vol. II*, ed. George E. Baker, (New York: 1853).

the antislavery factions of the North. The compromises made in 1850 had failed to effectively bring all parties together, to feel as if they all had input and something to gain from the compromises made. There was no middle ground for these ideologies to stand on and the act of coercion from political pressure created an unsustainable compromise.

## **6. The Lessons of Compromise**

Significant moments of compromise during the slavery debate demonstrate the importance of common ground for compromise to succeed, especially when it comes to moral issues. Compromise was able to succeed in determining the fate of slavery in New York State largely because those debating the issue were able to find common ground to begin to build compromise. While morality was central to the end of the institution of slavery in New York, the fact that many who strove to achieve this end were slaveholders provided an opportunity for antislavery and proslavery factions to compromise because of a mutual understanding of the financial implications of ending slavery. The “empathy” evident in the New York State debate was an element that was absent in the national debate of 1850 and contributed to the failure of compromise over the issue of slavery at that time.

Common ground not only affects compromise because of moral issues involved, but also allows politicians to justify the compromise to their constituents. J. Patrick Dobel theorizes that compromise is more challenging once personal integrity is acknowledged as a factor in a moral issue. It is more difficult to justify compromising what is perceived and framed as absolute moral values to the general public.<sup>116</sup> The fact that the public was

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<sup>116</sup> Dobel, 44.

invested in the 1850 debate added another factor that hindered the compromise process. Moral language and arguments worked their way into the debate because ultimately slavery is a moral issue. Taking a moral stance and justifying it through either religious or constitutional doctrine backed politicians into a corner, where the consequences of compromise meant harm to their personal integrity and public trust in them.

The complexity of incorporating moral language into the debate is apparent with Daniel Dickinson's refusal to let moral conscience impact his decisions; political theorists refer to this position as practical politics.<sup>117</sup> Defining and incorporating morality into political decisions was not practical because, as stated, it is difficult to sell a compromise on moral issues to the general public. However, Dickinson's use of the Constitution suggests not an absence of moral thinking, but changing the focus of moral doctrine and creating a "civic religion" based on the Constitution. Generally speaking, issues of morality originate and fall under the jurisdiction of liberal Protestantism in the United States.<sup>118</sup> Usually when politicians reference something as morally right or wrong, there is some incorporation of religious doctrine to justify the stance. However, the issue of slavery created divisions and compromises within different Protestant congregations. For example, as the nation began to divide itself over the issue of slavery the Evangelical Episcopalian churches, which had long attempted to avoid the political arena, were pulled into the debate over slavery.<sup>119</sup> Those involved in the slavery debate not only looked

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<sup>117</sup> Morley, 98.

<sup>118</sup> The separation of Church and State has a rich history, which dates back to the Protestant Reformation and the rise of cities. For more information on the development of Church thought on slavery and morality in the context of the U.S. see Molly Oshatz's *Slavery & Sin: The Fight against Slavery and the Rise of Liberal Protestantism*.

<sup>119</sup> Diana Butler Bass, *Standing Against the Whirlwind: Evangelical Episcopalians in Nineteenth-Century America* (New York: Oxford University Press, 1995), 147 These

toward traditional religious beliefs to justify their positions, but also the belief in a civic religion. Dickinson's application of the Constitution as a literal and unchanging document prohibits for those involved the ability to compromise and respond to changing social values. In other words, Dickinson's willingness to compromise was limited to what was stated in the Constitution. The use of moral doctrine by both civic and religious sources created inflexibility and inability to compromise because of the reverence felt towards those doctrines.

Slavery was legitimized by the founding fathers through the Constitution, but as an institution slavery contradicted the other foundational values of liberty and equality. The end of slavery represented a fundamental change that needed to occur, yet, was stonewalled by those taking the Constitutional position that compromises made at the founding of the nation could not be compromised later. Barry Seltser explains that a key component to a successful and effective compromise is ensuring there is understanding and latitude for the compromise to be changed in the future.<sup>120</sup> This further exemplifies a politician's need to take heed before they claim moral ground based on the Constitution. A more appropriate position would be the one taken by Lincoln that the Constitution provides principles, which can help guide the nation rather than strictly define it.<sup>121</sup> This provides an opportunity to work within the compromise system of politics, while still accomplishing what is seen as "right."

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divisions would often divide the Episcopalians along regional lines and resulted in the development of both proslavery and antislavery interpretations of biblical scripture and Christian duties.

<sup>120</sup> Seltser, 241.

<sup>121</sup> Dobel, 14.

While Dickinson may have presented an option for limited compromise, politicians like William Seward exemplify how compromise could not adequately address the “slavery question.” In 1850 Seward represented a position that held no common ground with Southern slaveholders. For Seward, morality is at the core of the debate and could not be sacrificed for compromise. He recognized the contradictions of the existence of slavery alongside principles of liberty and freedom. Slavery had its day and now needed to be eliminated because the free labor economy of the North was the future of the nation and the enslavement of people was considered morally wrong.<sup>122</sup> This outcome could only be possible with no further concessions to slave powers, which meant stopping the expansion of slavery in the territories and ending the use of compromise on the issue of slavery. Slave owners recognized the potential for a disruption in the balance of power, which could result in Seward’s vision becoming a reality. In addition, they reverted to the moral arguments of Constitutional right to justify slavery and further perpetuate the moral paradigm of the debate. Moral arguments eventually led participants down an equally uncompromising path, which resulted in two extremes that could not relate or understand the other in order to find common ground for compromise.

One of Seltser’s compromise categories is self-interest, which situates compromise in the context of a politician who sacrifices their personal beliefs to please their party or constituency in order to maintain a favorable position and thus keep their job.<sup>123</sup> However, as we have observed in the debate over slavery, personal self-interest extends to more than one’s job, but also personal wealth and investments. This can lead to the dual effect of either advocating for compromise or resisting it. Can moral

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<sup>122</sup> William H. Seward, “Letter to Dudley Phelps.” February 15, 1850.

<sup>123</sup> Seltser, 149-50.

imperatives rise above self-interest in these political situations? The answer is “no” in the case of gradual emancipation in New York. Despite the Manumission Society and “liberal” politicians denouncing the evils of slavery, they could not bring themselves to advocate for the institution’s immediate end. Amendments and policies were continually introduced by “antislavery” organizations that helped ensure that slave owners would not face excessive financial loss when it came to ending slavery in New York. Slave owners were permitted to maintain their moral conscience by joining the Manumission Society in opposition to slavery, while also keeping their personal investments intact.

Self-interest can diminish any enduring outcome of compromise as we have seen with the 1850 debate. The financial investments of many Southern politicians, as well as the Southern States were in jeopardy if the institution of slavery was eliminated. Compromising with the North to halt or hinder the extension of slavery had the potential to disrupt the power balance in the future to the point where the South could not leverage a compromise because they would be a minority.<sup>124</sup> In the mind of these slaveholders their entire fortunes were on the line and if they made concessions it would weaken their state’s power and influence even further. Power and influence, whether stemming from wealth or number of seats in government are significant factors when it comes to compromise. They create strong opposition to any form of change that might be detrimental to the self-interest of individuals involved in the compromise and even moral stances have difficulty overcoming these obstacles in order to affect any fundamental changes or minor changes through compromise.

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<sup>124</sup> John C. Calhoun, *A Disquisition on Government and A Discourse on the Constitution and Government of the United States* ed. Richard K. Cralle (South Carolina: A.S. Johnston, 1851).

The tradition of compromise did not end with the Civil War and continued to play a central role in U.S. history as an important component of the political process. Many of the historical patterns of compromise exist today, as exemplified by the influence of self-interest in the healthcare debate in the United States where one of the most common arguments against enacting healthcare reform is the cost. The question of who will pay for the healthcare of those who traditionally can't afford it persists. Even those who oppose healthcare reform may recognize it is a moral issue, but continue to present the argument: Is it right or even possible for the government and tax dollars to pay for this care?<sup>125</sup> Furthermore, a majority of individuals in power already have quality healthcare, which creates an illusion that nothing is wrong with the system and it becomes less likely that they will advocate for people who do not have access to healthcare. While this is not as individualistic in terms of the self-interest of slaveholders in relation to the issue of slavery, it reveals elements of privilege and inequality that still influence debate and compromise in the modern era.

Self-interest is connected to the questions of when is it appropriate to compromise and do certain political positions require compromise more often than others. As previously stated, it is clear throughout the compromise debates in 1850 that William Seward believed issues involving slavery could not be compromised, in large part due to the moral imperative of the issue. However, with the death of President Taylor, who had supported Seward and the end of slavery's expansion into the territories, and the ascension of President Fillmore, who was a rival of Seward and agreed with the compromise proposals, Seward was forced to retreat from his uncompromising stance

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<sup>125</sup> Chuck Grassley, Finance Committee Meeting September 22, 2009, <http://www.finance.senate.gov/imo/media/doc/092209cg1.pdf> (5/23/13).

because of the shift in political power, which threatened his Senate seat.<sup>126</sup> Seward was not as publicly outspoken about the issue of slavery and the fugitive slave law after the Compromise of 1850 was passed. Some historians believe this was in part due to the shift in power within the Whig Party, as well as Seward's ambition for higher office than the Senate.<sup>127</sup> The constituency that determines a politician's election to office is an important factor in relation to self-interest and willingness to compromise. The larger and more diverse the constituency the more a politician can compromise or avoid issues that could harm them politically, even if this is contrary to their personal beliefs on the matter. This reality presents one of the potential limitations of compromise in politics. If there is an issue that is divisive and threatens a political career there is a tendency to utilize compromise as a means to avoid addressing that issue. Even elected officials who are morally motivated like Seward cannot avoid this dilemma in the American political system. As politicians aspire to move on to higher office, with the intent of being able to enact more change while in those offices, they frequently find themselves needing to compromise over the very fundamental issues they wish to change.

The office of the president is where we see the most egregious examples of the use of compromise to avoid potentially contentious issues, which can involve compromising their personal views. Particularly in the modern era, as media coverage of political campaigns has become more extensive, it is increasingly evident that a politician will change their rhetoric depending upon the audience or polling numbers. During primary campaigns promises are sometimes made that reflect the views of the candidate's

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<sup>126</sup> Glyndon G. Van Deusen, *William Henry Seward* (New York: Oxford University Press, 1967), 133-34.

<sup>127</sup> Bancroft, 299-300.



political party, particularly those who will vote in the primary process. Once the individual is selected as their party's presidential candidate for the general election they tend to avoid issues that are controversial and party views that are not as universally accepted by the majority of voters in the United States. When the candidate becomes president they usually further compromise their positions in order to pass legislation in an effort to fulfill campaign promises. For instance, during the 2008 presidential primaries Barack Obama wanted a healthcare plan that was universal and provided healthcare for all Americans.<sup>128</sup> The Affordable Healthcare Act that was actually passed did not provide universal healthcare and requires an application process to determine eligibility for government funding.<sup>129</sup> While it seems to be an improvement to the American healthcare system because it potentially provides more Americans access to healthcare who do not have it, due to compromise the moral imperative of ensuring medical care for all Americans was not reached.

The president has to compromise more than any other political position because they are expected to represent and respond to the American people in their entirety. Throughout U.S. history the United States has been comprised of a diverse population of people with different goals, ideologies, needs and interests. The president and the federal government have had to balance all of this to navigate and determine what was best for the country. Hence, compromise became the norm at the federal level, but as we have observed with slavery, some issues are not as easy to compromise as others. The moral component to slavery, as well as the stakes in terms of political and economic power,

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<sup>128</sup> Michael Cooper, "It Was Clinton vs. Obama on Health Care," November 16, 2007 in *New York Times*.

<sup>129</sup> Centers for Medicare & Medicaid Services, "Affordable Care Act" <http://www.medicare.gov/AffordableCareAct/Affordable-Care-Act.html> (6/6/12).

kept the issue at the forefront of American discourse and demanded a definitive response by the federal government. Compromise does not lead to a definitive response because compromise is rooted in conflict and requires parties to sacrifice in order to generate a solution. This leaves someone, often on both sides, involved in the compromise not satisfied and usually the issue remains unresolved.

Perhaps one of the most important lessons learned from compromise and the debate over slavery is the lesson of the absent voice. Throughout the political debate for emancipation in New York and compromise in 1850, the most important constituency for the debate had no representation. This constituency was of course the millions of enslaved people in the United States. Political theorists point out that one of the key components to a successful and “good” compromise is the participation of all parties involved.<sup>130</sup> In the case of the debates over slavery the individuals who were most impacted had no say. While certain senators like Seward may have had good moral intentions when it came to the fight against slavery, even he would not have conversed or bothered gathering the opinions of the enslaved men and women of the South. This profound omission was because the enslaved were not considered citizens or even human under the law. They were seen as property and even many of those who opposed slavery still considered blacks an inferior race.<sup>131</sup> The voices of black abolitionists struggled to make themselves heard and throughout the national debates leading up to the Civil War were barred entry into the discussion because of racial prejudice.

Interestingly, Frederick Douglass, a leading radical black abolitionist during the 1840s and 1850s, found his positions in the political discussion over slavery constantly

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<sup>130</sup> Dobel, 111.

<sup>131</sup> *The New York Times*, “The Waste of Proslavery Twaddle,” Apr. 3<sup>rd</sup>, 1864.

shifting. James Oakes's book *The Radical and the Republican* describes how Douglas faced the overbearing need to compromise when advocating for antislavery platforms.<sup>132</sup> He understood the importance of someone like himself who had witnessed and experienced the horrors of slavery to enter the political debate and ensure that the voices of his people were heard. However, there were few who shared his view and some saw Douglass as a position to be presented rather than as a participant in the debate and outcome, further dehumanizing Douglass and his people. It would not be until the outbreak of war that Douglass would finally be able to break from the need to compromise and presented himself as the "embattled patriot" warning the country of compromising its "highest principles" when it came to the issue of slavery's complete abolition.<sup>133</sup> His voice and position would finally enter the political arena of the national government through his meetings with Lincoln during the war, but after the war he witnessed the exclusion of his people from the democratic process. The rights that his people fought for slipped away as they became disenfranchised by the nation turning a blind eye towards the de facto injustices of Reconstruction. Douglass, for his part, never gave up attempting to represent his people, but at the time white politicians had no conception of the consequences of the disenfranchised not having representation or a say in a debate that directly effected them. Black abolitionists continued to assert their own position and perspective that was relevant during and after the debate to end slavery. Their voices were telltales of the Civil Rights Movement when the Black community coalesced and with their white allies became the impetus for legislation that represented

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<sup>132</sup> James Oakes, *The Radical and the Republican* (New York: W.W. Norton & Company, 2007), 21.

<sup>133</sup> *Ibid.*, 135.

progress in overcoming prejudice and discrimination. They also brought race relation and inequality to the forefront of American discourse. In retrospect, the ultimate lesson learned from the compromises over slavery was the question: How can we ensure the voice, perspective, and representation of those who are affected by government laws and policy are represented in the debate process and outcome?

Representatives in politics do not always have the awareness or understanding of their constituency, especially if it involves disempowered sections of society.

Disenfranchisement is rooted in race, class, and gender. Slavery and the Reconstruction period after the Civil War provide insight into the history of injustice faced by black communities of the United States. The nation returned to the compromise process of government when reincorporating Southern states back into the Union. The voices of the new Black citizens were silenced before they even had a chance to establish themselves as evidenced by “black codes” and Jim Crow laws established to deny blacks the right to vote and participate in government.<sup>134</sup> These laws reinforced the exclusion of ex-slaves who now comprised a significant portion of the American citizenry from representation in the United States government. The injustices perpetrated on Black citizens and communities prevented them from having rightful and effective representation and therefore little ability to actually address the fundamental issues of racial injustice. A century later this led to the formation of the Civil Rights movement, which created organizations and action to help persuade elected officials to respond to inequality in America.<sup>135</sup> To this day activist groups continue to struggle against voter suppression and

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<sup>134</sup> Jane Elizabeth Daily, *The Age of Jim Crow: A Norton Casebook In History* (New York: W.W. Norton & Co., 2009).

<sup>135</sup> Mark Newman, *The Civil Rights Movement* (Westport: Praeger, 2004).

legislation in some states, ironically initiated by Republican dominated state governments, to ensure that voices of the disenfranchised in America are heard by government and are represented in ways in which the issues of inequality are addressed.<sup>136</sup>

Compromise requires all parties involved in the political process and representatives in government to keep an open mind, listen, and respond effectively to all citizens, in particular those who have historically had their voices silenced or ignored. In addition, it is important for elected officials to not accept compromise as a definitive solution when compromise does not address the issue in a fundamental way and only defers what needs to be done. There certainly are flaws with representation in government because the politicians in those seats may not be versed in all the issues they will have to address and are not always open to listening to the different needs, interests, and requests of people, particularly those whose experiences are different from theirs. Many elected representatives will do what best serves their interests in being re-elected by the majority, often in gerrymandered election districts. They are seldom motivated by what may be best for those who are underrepresented and underserved by the nation. In a representative government dominated by compromise there can be no absent voices. Denying these voices replicates the political fallout of slavery in the sense that it is contrary to the principles of the nation and a “government for the people and by the people.”

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<sup>136</sup> Alexander Keyssar, “Voter Suppression Returns: Voting Rights and Partisan Practices,” *Harvard Magazine* <http://harvardmagazine.com/2012/07/voter-suppression-returns> (6/6/13).

## 7. Final Thoughts

*The American people don't expect government to solve every problem...They do expect us to forge reasonable compromise where we can. For they know that America moves forward when we do so together, and that the responsibility of improving this union remains the task of all of us. - Barack Obama<sup>137</sup>*

Compromise is a complex tool that supports the foundation of American government. It impacts the mentality and function of government and people in dealing with societal issues throughout the country's history. Ultimately, individuals involved decide if and how to compromise and their personal histories, personalities, interests, loyalties, and ideologies determine the outcome of any given debate. Having examined two moments within the slavery debate we have seen the importance of the specific parties involved, as well as the context in determining the outcome of compromise. The issue of slavery in the United States was definitively answered with the secession of the South from the Union and Civil War. The defenders of slavery at a national level were not willing to give up their economic and political power without a fight. The South used the threat of secession and physical violence while maintaining a sense of moral right in defending slavery. Over time, their opponents became less tolerant of slavery and as the stakes began to rise in the debate they also turned to morality and principle to advance their attacks on the institution of slavery. Both sides separated themselves from compromise and any chance of finding common ground. As the debate involved the public sphere those who wanted to take the path of compromise became fewer in number as moral absolutism denied legitimacy to the compromising moderates. To compromise

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<sup>137</sup> Barack Obama, "Remarks by the President in the State of the Union Address," (Washington D.C.: The White House, Office of the Press Secretary, 2013) <http://www.whitehouse.gov/the-press-office/2013/02/12/remarks-president-state-union-address> (7/11/13).

over an issue that was as much about morals as it was about economics or politics would mean sacrificing one's integrity. While physical force is not always the first step in achieving fundamental societal change, the "slavery question" was set on a course of war versus dialogue and compromise as a means to a resolution.

Most political theorists believe that compromise is inherent in a democratic system and therefore is an instrument and obstacle that needs to be handled with care by all those involved. It will always be present and the slavery debate displays the importance of recognizing how compromise can seem to resolve a problem, but actually further polarizes those involved by avoiding the issue. Compromise is a value that stands alongside liberty and freedom in defining the American identity and therefore is an important aspect of the U.S. government and for the field of American Studies. It keeps a diverse and multifaceted nation together, but always at a price because it requires someone involved to sacrifice his or her goals.

With the 150th anniversary of the Civil War and the increase in public and academic interest in the debate over slavery, this research and discussion on compromise are timely. From James Oakes's newest book *Freedom National* to Steven Spielberg's movie *Lincoln* it is evident that compromise was synonymous with the issue of slavery to the very end. Even with half of the country absent from the political debate over ending slavery during the Civil War, compromise was still necessary to pass the Thirteenth Amendment, which abolished the institution. Perhaps the research and discussion presented in this paper will contribute to a better understanding of why. Compromise worked its way into the political framework and function of the nation and shaped and dominated the slavery debate to the point where it tore the nation apart. But even with the

nation split in two, compromise could not be completely separated from slavery's fate. Furthermore, we see the historical vestiges of compromise in the modern era as an enduring characteristic of American identity.

So what can be done to create fundamental change in this nation of compromise?

An answer to that question comes from John Morley, who as discussed earlier, was writing about the return of compromise in the wake of the Civil War and compromise leading to stagnation in politics. The answer Morley offers to the question of enacting change in politics is:

The fact that leading statesmen are of necessity so absorbed in the tasks of the hour furnishes all the better reason why as many other people as possible should busy themselves in helping to prepare opinion for the practical application of unfamiliar but weighty and promising suggestions, by constant and ready discussion of them upon their merits.<sup>138</sup>

Compromise is often not the definitive answer to a problem and all those involved in the democratic process need to continue to push for fundamental change no matter the obstacles and individuals who may try to stifle their voices. While the system may require the use of compromise to achieve goals, it does not mean that it needs to affect one's principles. The most important addition to Morley's claims must be the recognition and ascension of the absent voice in compromise because those that are disenfranchised are not silent and must be brought into the discourse.

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<sup>138</sup> Morley, 98.



## Bibliography

- 1790 United States Census. Philadelphia: United States Government, 1793,  
<http://www.census.gov/prod/www/decennial.html> (5/23/13).
- 1799 Gradual Abolition Act. "An Act for the gradual abolition of Slavery,"  
 March 29, 1799, in *Laws of the State of New York, Passed at the Twenty-Second Meeting of the Legislature Begun...the Second Day of January 1799* Albany: 1799, 721-723. Quoted in David N. Gellman and David Quigley, *Jim Crow New York: A Documentary History of Race and Ownership, 1777-1877* (New York: New York University Press, 2004), 52-55.
- 1800 United States Census. Philadelphia: United States Government, 1801,  
<http://www.census.gov/prod/www/decennial.html> (5/23/13).
- Annals of Congress*. 16<sup>th</sup> Cong., 1<sup>st</sup> session, 1820.
- Aristotle. *A Treatise on Government*. Translated by William Ellis. London: 1778.
- Bancroft, Frederic. *The Life of William H. Seward*. New York: 1900.
- Bass, Diana Butler. *Standing Against the Whirlwind: Evangelical Episcopalians in Nineteenth-Century America*. New York: Oxford University Press, 1995.
- Bordewich, Fergus. M. *America's Great Debate: Henry Clay, Stephen A. Douglas, and the Compromise That Preserved the Union*. New York: Simon & Schuster, 2012.
- Burke, Edmund, "Letter to the Sheriff Bristol" in *The Miscellaneous Works of the Right Honourable Edmund Burke Vol. I*. New York: Eastburn, Kirk and Co. and West and Richardson and Oliver C. Greenleaf, 1813.
- Burke, Edmund. "Reflections" in *The Miscellaneous Works of the Right Honourable Edmund Burke Vol. I*. New York: Eastburn, Kirk and Co. and West and Richardson and Oliver C. Greenleaf, 1813.
- Burke, Edmund. *Two Speeches on Conciliation with America and Two Letters on Irish Questions with an Introduction by Henry Morley*. London: G. Routledge, 1889.
- Calhoun, John C. *A Disquisition on Government and A Discourse on the Constitution and Government of the United States*. Edited by Richard K. Cralle. South Carolina: A.S. Johnston, 1851.
- Centers for Medicare & Medicaid Services. "Affordable Care Act,"  
<http://www.medicare.gov/AffordableCareAct/Affordable-Care-Act.html> (6/6/12).
- The Congressional Globe*. Senate, 31<sup>st</sup> Congress, 1<sup>st</sup> Session, 1850.

*Constitution of the American Anti-Slavery Society*. Boston: 1838.

Cooper, Michael. "It Was Clinton vs. Obama on Health Care." *The New York Times* November 16, 2007 [www.nytimes.com/2007/11/16/us/politics/16facts.html?\\_r=0](http://www.nytimes.com/2007/11/16/us/politics/16facts.html?_r=0) (5/23/13).

Daily, Jane Elizabeth. *The Age of Jim Crow: A Norton Casebook In History*. New York: W.W. Norton & Co., 2009.

Dickinson, Daniel S. *Speeches, Correspondence, Etc., of the Late Daniel S. Dickinson of New York Vol. I-II*. Edited by John R. Dickinson. New York: 1867.

Dobel, J. Patrick. *Compromise and Political Action: Political Morality in Liberal and Democratic Life*. Maryland: Rowman & Littlefield Publishers, Inc., 1990.

Farrand, Max. *The Records of the Federal Convention of 1787* Vol. 2. Connecticut: Yale University Press, 1911, <http://memory.loc.gov/ammem/amlaw/lwfr.html> (11/28/12).

Ferguson, Robert A. "The American Enlightenment" in *The Cambridge History of American Literature* Vol. 1. Edited by Sacvan Bercovitch, 345-538. Cambridge: Cambridge University Press, 2008.

Finkleman, Paul. *An Imperfect Union: Slavery, Federalism, and Comity*. North Carolina: University of North Carolina Press, 1981.

Franklin, Benjamin. "Draft Speech," June 11, 1787, <http://www.loc.gov/exhibits/treasures/franklin-newrepublic.html> (6/6/13).

Fumurescu, Alin. *Compromise: A Political and Philosophical History*. Cambridge: Cambridge University Press, 2013.

Gellman, David Nathaniel. *Emancipating New York: The Politics of Slavery and Freedom 1777-1827*. Baton Rouge: Louisiana State University Press, 2006.

Grassley, Chuck. Finance Committee Meeting September 22, 2009, <http://www.finance.senate.gov/imo/media/doc/092209cg1.pdf> (5/23/13).

Hamilton, Holman. *Prologue to Conflict: The Crisis and Compromise of 1850*. Kentucky: University of Kentucky Press, 1964.

Holt, Michael F. *The Political Crisis of the 1850s*. New York: John Wiley & Sons, Inc., 1978.

Jay, John and Sarah Livingston Jay. *Selected Letters of John Jay and Sarah Livingston*

*Jay*. Edited by Land M. Freeman, Louise V. North, and Janet M. Wedge.  
North Carolina: McFarland & Company Inc., 2005.

Jefferson, Thomas. *The Declaration of Independence Draft*. 1776,  
<http://www.loc.gov/exhibits/jefferson/jeffdec.html> (11/28/12).

Jefferson, Thomas. *The Declaration of Independence*. 1776,  
[http://www.archives.gov/exhibits/charters/declaration\\_transcript.html](http://www.archives.gov/exhibits/charters/declaration_transcript.html) (11/28/12).

*Journal of the Assembly for the State of New York*. New York, 1785.

*Journal of the Assembly for the State of New York*. New York, 1799.

*Journal of the Senate for the State of New York*. New York, 1785.

Stewart, L. Lloyd. *A Far Cry From Freedom: Gradual Abolition (1799-1827)*.  
Bloomington: AuthorHouse, 2006.

Keyssar, Alexander "Voter Suppression Returns: Voting Rights and Partisan Practices,"  
*Harvard Magazine*, July-August 2012,  
<http://harvardmagazine.com/2012/07/voter-suppression-returns> (6/6/13).

Locke, John. *Two Treatises of Government: Book II*. London: Awnsham, Churchill,  
1689.

Lynch, Denis Tilden. *Boss Tweed: The Story of a Grim Generation*. New York: Boni &  
Liveright Inc., 1927.

Madison, James. *Federalist Papers*. 1787-1788  
<http://www.ourdocuments.gov/doc.php?flash=true&doc=10&page=transcript#no-10>  
(6/6/13).

Mendus, Susan. *Politics and Morality*. Cambridge: Polity Press, 2009.

Minutes from January 25, 1785-November 21, 1797, in *New York  
Manumission Society records*, Vol. 6, (New York: New York Historical Society)  
<http://cdm16124.contentdm.oclc.org/cdm/ref/collection/p15052coll5/id/31512>  
(11/28/12)

Morley, John. *On Compromise*. London: Macmillan and Co. Limited, 1917.

*The National Era*. "Letter from Hon. Washington Hunt-The Washington Union," October  
24, 1850.

*The New York Times*. "Topics of the Day," September 20, 1851.

- The New York Times*. "The Waste of Proslavery Twaddle," Apr. 3<sup>rd</sup>, 1864.  
<http://www.nytimes.com/1864/04/03/news/the-waste-of-pro-slavery-twaddle.html>  
 (5/23/13).
- Newman, Mark. *The Civil Rights Movement*. Westport: Praeger, 2004.
- O’Gormen, Frank. *Edmund Burke: His Political Philosophy*. Indiana: Indiana University Press, 1973.
- Oakes, James. *The Radical and the Republican*. New York: W.W. Norton & Company, 2007.
- Obama, Barack. "Remarks by the President in the State of the Union Address." Washington D.C.: The White House, Office of the Press Secretary, 2013,  
<http://www.whitehouse.gov/the-press-office/2013/02/12/remarks-president-state-union-address> (7/11/13).
- Oshatz, Molly. *Slavery & Sin: The Fight against Slavery and the Rise of Liberal Protestantism*. New York: Oxford University Press, 2012.
- Ottley, Roi and William Weatherby, Editors. *The Negro in New York: An Informal Social History*. New York: Oceana Publications, 1967.
- Oxford English Dictionary Online*. Oxford University Press, 2013,  
<http://oxforddictionaries.com/definition/english/compromise> (4/21/13).
- Parkinson, Robert G. "Manifest Signs of Passion," in *Contesting Slavery*. Edited by John Craig Hammond and Matthew Mason. Virginia: University of Virginia Press, 2011.
- Pennsylvania Abolition Society Constitution*. Philadelphia: 1774.
- Schechter, Barnet. *The Devil’s Own Work: The Civil War Draft Riots and the Fight to Reconstruct America*. New York: Walker & Company, 2005.
- Seltser, Barry Jay. *The Principles and Practice of Political Compromise*. New York: The Edwin Mellen Press, 1984.
- Seward, William H. "Letter, February 1<sup>st</sup> 1849 to James Watsin Webb."
- Seward, William H. "Letter to Dudley Phelps." February 15, 1850.
- Seward, William H. *The Works of William H. Seward Vol. I-II*. Edited by George E. Baker. New York: 1853.
- Street, Alfred B. *The Council of Revision of the State of New York; Its History of the*

*Courts with which its Members were Connected; Biographical Sketches of its Members; and the Vetoes.* New York: William Gould, 1859.

Van Deusen, Glyndon G. *Thurlow Weed: Wizard of the Lobby.* Boston: Little, Brown and Company, 1947.

Van Deusen, Glyndon G. *William Henry Seward.* New York: Oxford University Press, 1967.

Waldstreicher, David. *Slavery's Constitution: From Revolution to Ratification.* New York: Hill and Wang, 2009.