Looking Past the Lower North: Republicans, Natural Rights, and the Election of 1860
Frank Towers


Contact information:
Frank Towers
History Department
University of Calgary
2500 University Drive, NW
Calgary, Alberta, Canada
T2N 1N4
Email: ftowers@ucalgary.ca
Phone: 403-220-6406
In the late eighteenth and early nineteenth centuries, foes of monarchical regimes on both sides of the Atlantic made the natural rights values of universal liberty, equal citizenship, and republican government defining principles for the new nations that they built from old empires (Kedourie 1961:9-19). Forged in war against absolutism, new states embraced natural rights as a means for mobilizing the masses against counter-revolutionaries and as a prop to the open market economy desired by those merchants and planters who had fought against mercantilist imperial regimes. A product of the transnational Enlightenment rather than the exclusive property of any particular country, a pure natural rights basis for nationalism threatened the stability of the states created in its name. Because natural rights nationalism implied that citizenship was open to all who consented to its ideals it undermined claims to territorially limited sovereignty and citizenship. Furthermore, universal liberty and equality could be turned against state support for caste and class privilege. (Hobsbawm 1990:19-20; Greenfeld 1992:11). Consequently, builders of new republics in the Americas and Europe, who with the exception of Haiti’s slave rebels were propertied white men, opposed those who would push liberty and equality to their logical extreme.

By the 1820s, officials in most post-revolutionary states, including the U.S., had deemphasized natural rights as the distinguishing features of their respective national values in favor of cultural markers such as language, ethnicity, and folklore that pertained to the particular place and people over which they ruled (Anderson 1991:194-195). The emerging science of race boosted this narrowing of natural rights by replacing the Enlightenment’s environmental and historical explanations for differences in human cultures with a theory of race as the biological product of multiple human origins.
Scientific racism fed the ethnic nationalist argument for limiting citizenship rights to those within the chosen circle of racial purity (Horsman, 1981; Staum 2003). Rather than disavow natural rights ideas, romantic ethnic nationalists argued that liberty and equality were reserved to citizens, a status conferred only upon those who shared the kinship and cultural markers of the nation.

During and after Andrew Jackson’s presidency in the 1830s, versions of this romantic ethnic nationalism flourished. While Jackson’s Democratic party fought for equal opportunity for white male citizens, it also expanded slavery, conquered Indian land, and otherwise reinforced racial definitions of nationalism (Saxton 1990:150). Whigs, the political party opposed to the Democrats, took issue with Indian removal, showed sympathy towards free blacks, and sometimes cultivated immigrant voters. However, any semblance of Whig cultural pluralism was belied by the party’s hierarchical worldview, a combination of Federalist paternalism and evangelical moral reform, in which nonwhites, Catholic immigrants, and the poor deserved place and protection in exchange for their assimilation towards Anglo-Saxon Protestant norms (Laurie, 2005:51; Holt, 1999:31, 70).

These trends weakened but did not eradicate natural rights from discussions of national values. During the Civil War, the pro-Union North restored natural rights to their importance as the purpose of national effort and the content of national aspirations. President Abraham Lincoln delivered perhaps the best known expression of wartime natural rights nationalism in his 1863 Gettysburg Address in which he redefined the war as a struggle for a ‘new birth of freedom’ based on popular government and the founding
principles of ‘a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.’

Natural rights manifested themselves in numerous laws passed by the wartime Union government. The 1863 Emancipation Proclamation changed the Union’s war goals from simple reunion to ending slavery. Northern state legislatures repealed anti-black laws and Congress passed several anti-discrimination measures (McPherson 1982:467). Most important of all, in 1865 the newly enacted 13th Amendment abolished slavery. In regards to the foreign born, Massachusetts Republican legislators revoked several anti-immigrant laws including a notorious two-year delay between naturalization and voting (Handlin 1959:210-211). The 1864 Republican party platform favored a ‘liberal and just naturalization policy, which would encourage foreign immigration’ (Foner 1995:237). Propertyless workers and farmers benefited from the 1862 Homestead Act which gave land in the West to anyone willing to settle it. Federal legislators also passed a progressive income tax and increased access to higher education.

Natural rights rhetoric informed not only the ideas of Lincoln’s Republicans but also those of groups outside the party. For example, in 1864 William Sylvis, head of the International Iron Molders’ Union, the largest labor organization of the time, made the following case for the eight-hour workday. ‘I believe that all men are “endowed by their Creator with certain inalienable rights,” among which is the divine right to labor, … the right to limit the hours of toil to suit our physical capacity … [and] the right to control and direct legislation for the good of the majority …’ (Sylvis 1864:109). Similarly the woman’s suffrage case put forward by the American Equal Rights Association asked Congress ‘to bury the black man and the woman in the citizen’ (DuBois 1978:64).
Although most Republican leaders opposed shorter hours and woman’s suffrage, the prominence of natural rights nationalism during the Civil War contributed to a surge in feminist and labor organizing that would not be seen again until the late 1800s.

While historians generally agree that natural rights moved from the background to the forefront of Union nationalism, they disagree about why this change occurred. Reminiscent of 1950s consensus historians, James M. McPherson argues that American civic nationalism predominated throughout the pre-Civil War period, and that the South’s turn towards an exclusive Anglo-Norman ethnic nationalism put the Union’s civic nationalism into relief (1998:35). Other scholars doubt civic nationalism’s hold on antebellum America (Handlin 1957; Higham 1963; Horsman, 1981; Roediger 1991; Jacobson 1998). Indicative of this outlook, historian Edward Blum writes that ‘long before the Civil War and Reconstruction, Protestantism, American nationalism, and whiteness had been bound together tightly in the imaginations of Euro-Americans’. According to Blum, this ‘white republic’ came under criticism because of ‘the exigencies of war and the heroism of African-American soldiers, who demonstrated amazing patriotic allegiance to the Union, and forced a reevaluation of the conflation of whiteness and American nationalism’ (2005:4-5). Drawing on Benedict Anderson’s insights into the role of print and small cadres of nation makers in spreading nationalist values, Melinda Lawson attributes the North’s natural rights revival to discrete groups of civilian nation-builders who worked through public ceremonies, print, and political campaigns (2002: 9, 185).

Implicit in this debate is the tendency of nationalist values to ebb and flow in their public prominence and political effectiveness. To address this problem, this essay does
something historians don’t like. It downplays human agency. More to the point, I raise doubts that any particular group of nation makers can be credited with the Union’s natural rights revival. Instead, I argue that the cultural logic of territorial nationalism gave rise to natural rights in the wartime North. Territorial nationalism refers to those configurations of national identity that define citizenship and allegiance as coterminous with the borders of the state. Protagonists in civil conflicts often promote territorial nationalism in order to mobilize neutrals theretofore considered marginal to the nation. (Duara 1997:1030, 1032-1033, 1036, 1039, 1046, 1048). Unionists came to natural rights from several different starting points and no easily identifiable group of ideologues can be credited with bringing natural rights nationalism to the fore at mid-century. The demands of wartime mobilization more than anything else brought natural rights from the margins to the center of the North’s political consciousness. Natural rights provided the common denominator between a disparate coalition of northerners who could agree on little beyond the need to preserve the Union.

The Jacksonian era’s most vocal supporters of equal rights were abolitionists, African American and white supporters of slavery’s immediate end. In the 1830s, abolitionists like William Lloyd Garrison and Ohio Congressman Joshua Giddings maintained that ‘slavery [was] an abridgement of the natural rights of man …’ (Miller 1996:446). For example, an 1831 African American assembly resolved that ‘the time must come when the Declaration of Independence must be felt in the heart as well as uttered from the mouth, and when the rights of all shall be properly acknowledged and appreciated. . . . This is our home and this is our country’ (Dinnerstein, et. al. 1979:78). A generation later, escaped slave and abolitionist Frederick Douglass returned to the
Declaration as the common ground between black aspirations and American nationalism. In his 1852 address ‘What to the Slave is the Fourth of July?’ Douglass told his audience that ‘The Declaration of Independence is the ring-bolt to the chain of your nation’s destiny… The principles contained in that instrument are saving principles. Stand by those principles… in all places, against all foes, and at whatever cost.’

Nonetheless, few Americans voted for the abolitionist Liberty party and its call for ‘the restoration of equality of rights for all men’ (Blue 1973:101). The failure of abolitionism’s message of universal liberty to win over the masses during the 1830s and 1840s illustrated how natural rights had been superseded by race, ethnicity, and manhood in debates over national values. Faced with white intransigence, African Americans coupled abolitionism with a program of autonomous institution building, headed by independent churches and voluntary societies.

During the war white and black abolitionists pushed Lincoln to make emancipation a war goal, involve African Americans in the fighting, and reward them with full citizenship. But these were not the only groups that advocated a version of natural rights nationalism prior to 1861. European immigrants, whose numbers rose from under two percent of all Americans in 1830 to thirteen percent in 1855, also invoked the principles of liberty and equality to combat ethnic constructions of American nationality.

Among the best known examples of anti-immigrant violence were Philadelphia’s anti-Irish riots of 1844, the mobbing of papal legate Gaetano Bedini in 1851, and a wave of anti-immigrant election rioting in the mid-1850s (Billington, 1938:300-303; Montgomery 1972; Grimsted 1998:ch. 8). Nativist voters wanted to curb the influence of the foreign born in public life and limit their access to high-paying occupations.
Capitalizing on these sentiments, between 1854 and 1856, the newly created American party (also called Know Nothings) elected seven governors, eight United States senators, and 104 members of the House of Representatives, and eclipsed the Whigs as the main rival to the Democrats (Gienapp 1987:22-27, 60-64).

Key to nativist ethnic nationalism was the claim that immigrants could not become true Americans because they belonged to other, inassimilable races. In 1855, the Chicago *Tribune* claimed that, ‘It is the prevailing and besetting sin of the Irishmen that when they come to America they will not become Americans but persist in remaining *Irishmen*’ (Gienapp 1987:95). One nativist tract argued that differences between Europeans and Americans prevented immigrant assimilation.

[I]t is easy to see how little community of thought and feeling can subsist between the two classes of people, European and American. The Europeans are studiously kept ignorant and servile, and are deformed with the vices which accompany servile ignorance. … How can such men coalesce with our law-making, law-abiding, and self-controlling men? (Saunders 1855:208).

Know Nothings sought to protect American nationality from immigrant corruption by wedding republican political values to Anglo-Saxon Protestant heredity (Higham 1966:9-11; Voss-Hubbard 2002:116).

In response, immigrants found collective strength in identification with their nation of origin. Promoters of ethnic pride organized national churches, voluntary associations, such as the Ancient Order of Hibernians and the Turnverein, and patriotic celebrations like St. Patrick’s Day parades. At these site immigrants articulated a sense of themselves as a people with a distinctive national heritage (Miller 1985:332-333).
Along with defensive community institutions, immigrants needed allies in government to stop the nativists. Immigrant voters found their ally in the Democratic party, the Know Nothing’s main protagonist. Allying with Democrats involved immigrants in a cross-ethnic coalition that emphasized their share in the rights of all Americans. The immigrant response to nativism was therefore double-sided in much the same way as the black response to racism. In ethnic neighborhoods, newcomers built institutions that emphasized their distinctiveness. In party politics, immigrants used the founding rhetoric of the United States as a means for erasing differences between foreign born and old-stock Americans.

Immigrants were helped in this effort by native-born Democratic leaders who attacked nativist bigotry. Illinois Senator Stephen A. Douglas, the preeminent northern Democrat, said that, ‘To proscribe a man in this country on account of his birthplace or religious faith is subversive of all our ideas and principles of civil and religious freedom. It is revolting to our sense of justice and right’ (Johannsen 1973:446). This natural rights argument meshed with proslavery criticism of abolitionists as the heirs of Federalist elitists who masked their disdain for poor whites behind pretended philanthropy for people of color. For example, Missouri Democrat Thomas Hart Benton denounced abolitionists as heirs of the ‘Federal’ party that ‘in every question between the white people and the negroes or the Indians, regularly, officially, impertinently and wickedly takes part with the negroes and the Indians against their white fellow citizens . . .’ (Saxton 1990:152) In this case, natural rights ideas helped negotiate the Democrats’ unlikely alliance between wealthy Southern slaveholders and propertyless immigrants living in northeastern cities.
This was tenuous alliance and the lack of common ground between northern immigrant workers and southern slaveholders became more apparent as conflict over slavery’s status in western territory competed with nativist criticism for public attention. In the North, the threat that slavery posed to free labor decreased concern over what immigrants might do to Protestant culture and increased the desire among native-born northerners for solidarity in their struggle against the slave power.

Leading this attack on slaveholders was the Republican party, which originated in 1854 with support from white farmers and artisans in the old northwestern states of Wisconsin, Michigan, and Illinois. Motivated by opposition to the Kansas-Nebraska Act, which opened those territories to slavery, Republicans called for free soil, or the exclusion of slavery from federal land. Many whites who rejected abolitionists because of their racial egalitarianism supported Republican free soilers because some attacked African Americans as a threat to white equality. For example, Kansas Republicans wanted to exclude free blacks as well as slaves from their territory (Berwanger 1967:114-115). Lyman Trumbull, a Republican leader in Illinois, put the issue bluntly: ‘We, the Republican party, are the white man’s party’ (Stampp 1980:110).

Along with their racism, northwestern Republicans owed much to the prior decade’s Jacksonian Democrats who campaigned against class and ethnic distinctions. In the 1850s, the spread of railroads made possible market competition between the products of slave labor and commodities made by the northwest’s middling classes. In impoverished areas on the margins of the market revolution, Jacksonian Democrats turned into free-soil Republicans to stop this competition and secure western land for poor people like themselves (Earle 2004:5, 10). According to a recent study, their
support for Republicans ‘was about slavery, the slave power, and the protection of a free labor village society,’ rather than because of Republican affinities with nativism and evangelical moral reform (Huston 2003:30, 207-209, 234). This attack on hierarchy necessarily made these voters receptive to natural rights arguments. For example, in the mid-1840s proponents of land reform in New York’s Hudson River Valley, later a source of Republican votes, spoke of ‘a natural right to the soil’ and land as ‘the natural inheritance of every individual’ (Huston 2000: 165)

Although Republicans played on northern fears of slaves, they were more far more supportive of black civil rights than were Democrats (Laurie 2005:289). In his 1858 senate campaign debates with Lincoln, Democrat Stephen Douglas, the aforementioned friend of immigrants, said that ‘I hold that the signers of the Declaration of Independence had no reference to negroes at all when they declared all men to be created equal. … They were speaking of white men … They alluded to men of European birth and European descent--to white men, and to none others …’ (Baker 1983:194). Lincoln denounced Douglas’ proposal that the Declaration excluded blacks ‘as having an evil tendency, if not an evil design. I combat it as having a tendency to dehumanize the Negro--to take away from him the right of ever striving to be a man’ (Stern 1942:517). Lincoln went on qualify his support for racial equality but he nonetheless rejected the Democratic effort to fit natural rights into a variant of ethnic nationalism.

Republicans’ cautious support for blacks resonated with their encouragement of ‘domestic feminism’ that accorded women equality within marriages. While still denying women political equality, Republicans broke with Democrats’ patriarchal model of the family (Pierson 2003). These positions echoed the call for equal rights put by feminists
in the Seneca Falls Declaration of 1848, which was self-consciously patterned on the Declaration of Independence.

These egalitarian campaign themes had their limits. In his 1858 debate with Douglas, Lincoln also famously said that he had ‘no purpose to introduce political and social equality between the white and the black races. There is a physical difference between the two which, in my judgment, will probably forever forbid their living together upon the footing of perfect equality.’ Although during the war Lincoln acted on behalf of racial equality, in 1858 he equivocally supported white supremacy and claimed that ‘there is no reason in the world why the negro is not entitled to all the natural rights enumerated in the Declaration of Independence.’ Natural rights played a significant part in the Republican quest for a northern majority, but it did not preclude the party from appealing to racism.

As a set of nonpartisan ideals, natural rights also served Republicans’ instrumental need to break down voter loyalty to Democrats and Know Nothings. Republicans tried to replace partisan loyalty with an attack on the South that equated Republican aims with the general interests of the North (Grant 2000: 150). Along with a sectional critique of the slave power, Republicans promoted a natural rights version of territorial nationalism that emphasized equality before the law and government enforcement of economic opportunity for free labor (Voss-Hubbard 2002:191-192, 209).

Both as a rebuttal to partisanship and as a repudiation of ethnic nationalism Republican natural rights arguments helped break immigrant allegiance to the Democratic party. Lincoln’s 1855 criticism of the Know Nothings typified his criticism of nativism. ‘I do not perceive how anyone professing to be sensitive to the wrongs of
the Negro, can join in a league to degrade a class of white men’ (Stern 1942:388).

Lincoln won the 1860 Republican presidential nomination partly because German Republicans objected to any candidate formerly affiliated with the American party. Disavowals of nativism included an 1860 platform plank stating that ‘The Republican party is opposed to any … legislation whereby the rights of citizens hitherto accorded to immigrants from foreign lands shall be abridged or impaired; and in favor of giving a full and efficient protection to the rights of all classes of citizens, whether native or naturalized, born at home or abroad’ (Foner 1995:257).

During the presidential campaign Republicans reached out to foreign-born voters and convinced prominent immigrants like Carl Schurz, a leader of Germany’s failed 1848 revolution, to speak to foreign-born audiences. Schurz equated the liberal aspirations of German refugees to America’s natural rights tradition. According to Schurz, American nationality ‘incorporated the vigorous elements of all civilized nations on earth,’ and stood for ‘liberty and equal rights, one and inseparable’ (Trefousse 1998:74). In making this claim, Schurz used the Republican variant on liberal universalism to incorporate ethnic newcomers into a broader definition of American citizenship than that offered either by nativist Know Nothings or white supremacist Democrats.

In 1860, Lincoln garnered enough northern votes to become president. He won the most immigrant support in states where Republicans had disavowed nativism and he fared worse where nativists held high positions in state Republican organizations or where Republican legislators passed nativist legislation (Kamphoefner 1991; Anbinder 1990:135-139).
The ubiquity of natural rights rhetoric during the war, outlined at the start of this paper, signified the return of these values to forefront of American nationalism. This change did not occur because every Union supporter sincerely believed in natural rights, but instead because the federal government’s varied constituencies could agree on these principles as an expression of Union nationalism that also served their particular interests.

Up to the mid-1850s, natural rights had figured in the claims made by a variety of northerners--feminists, African Americans, European immigrants, small farmers, and industrial workers--but these arguments made little headway with the major political parties or the native white majority until the free-soil revolt led by the Republican party. Because free soil began as a fight against concentrated power its supporters gravitated towards the egalitarianism of natural rights nationalism. This nationalism became more attractive when Lincoln and the Republicans confronted Southern secession in 1861. As war dragged on, the cultural logic of that struggle led Union supporters to attack other aspects of the antebellum social hierarchy, most importantly slavery, but also ethnic, class, and gender distinctions. This many sided struggle for equal rights affected the discourse of American nationalism by transforming the federal government’s stand on citizenship, and by helping to make the Union cause a popular movement for expanded freedom at the expense of narrower sectarian definitions of group-interest.

On its own, the push by those on the social margins to broaden liberty and equality was not enough to bring natural rights nationalism into the ascendancy. Equally important was the sectional conflict which provoked a new debate over the meaning of the federal union. Suppressing secession and securing legitimacy propelled Republicans to highlight natural rights as the primary value of American nationalism. The Lincoln
administration gained several ideological assets by foregrounding the Declaration of Independence in its articulation of the Union cause. The Declaration was a symbol of the American founding that, when attached to Republican policy, made the administration’s actions appear to be less of a departure than opponents claimed. Secondly, natural rights gave Lincoln a rhetoric of inclusion that could serve his instrumental need to mobilize groups heretofore kept out of the civic mainstream. More broadly, the Declaration’s natural rights ideals evoked the ‘civilizational authority’ of the Enlightenment, a tradition that reached beyond specific constructions of Americanism to embrace the larger aims of western civilization (Duara 1997:1038).

The final three decades of the nineteenth century witnessed a reversal of African Americans’ wartime gains, a return of nativist persecution of the foreign born, the consolidation of industrial capital at the expense of industrial labor, and repeated defeats for advocates of woman’s suffrage. Meanwhile the principles of the Declaration of Independence lost their force and returned to the status of holiday cant that Frederick Douglass had warned against in 1852. Among the many factors contributing to the postwar rollback of liberty and equality was the end of the Civil War’s unique political circumstances. The war’s end decreased the reigning political party’s need to fully mobilize all elements of American society simultaneous with the imperative to somehow reconcile the defeated white South to its new status within the Union. Although segments of the wartime Union coalition continued to fight for universal liberty and equality, the late nineteenth-century United States lacked the conditions necessary for another revival of natural rights nationalism.
Bibliography


