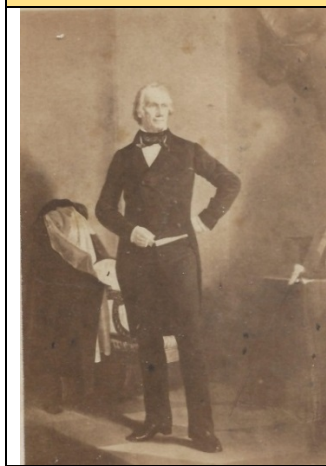


Chapter 66 -- The Missouri Compromise Solves The Regional Conflict For The Time Being



Dates:
1820

Sections:

- Speaker Of The House Henry Clay Steps Into The Controversy
- An Initial Compromise Passes In The Senate
- A Second Compromise Is Needed To Finally Admit Missouri

Time: 1819-1820

Speaker Of The House Henry Clay Steps Into The Controversy



Henry Clay (1777-1852)

Ten months pass before the 16th Congress is convened on December 6, 1819, and the Missouri question is again taken up in the House. During the hiatus, the issue has been debated across the north, south and west in local legislatures and assemblies.

The expansion of slavery and the black population across the Mississippi has become front and center, much to the chagrin of the South.

After Henry Clay is again chosen Speaker, he takes the lead in searching for a way to move forward on the Missouri admission.

Clay is in his tenth consecutive year of wielding the gavel, and he remains forever suspicious of Monroe's capacity as President.

After the 1816 election, Clay hopes to be named Secretary of State, "the path to the White House," but Monroe chooses JQ Adams instead. In turn, Clay refuses to attend Monroe's inauguration, a sign of the vanity that will both fuel and ultimately inhibit his ambitions. From that point on, Clay will be at loggerheads with Monroe on one issue after another.

But at the moment, with Missouri, the battle is within his own domain, the House, and he intends to solve it.

Clay's personal positions on slavery are very much akin to Jefferson's. He owns some 25 slaves, while intellectually regarding the practice as "inhumane." He is convinced that the Africans are an inferior race who will never be assimilated into white society. The best that could be done for them would be to pay owners for their freedom, then ship them home to Africa, a plan he backs in 1816 as a co-founder of the American Colonization Society. But like so many conflicted slave owners, he opposes all federal mandate that would end the practice.

In the initial floor debate over the Tallmadge Amendment, Clay had been anything but temperate in his response. In fact, he not only says that the proposal violates the Constitution, but also argues that blacks are treated better as slaves in the South than freedmen in the North. Down the road, this initial stance will come back to haunt him in future national campaigns.

However, as he hears the rhetoric in the House heating up on the issue, including a threat of secession from Thomas Cobb of Georgia, Clay the political master, recognizes the need for a peaceful compromise.

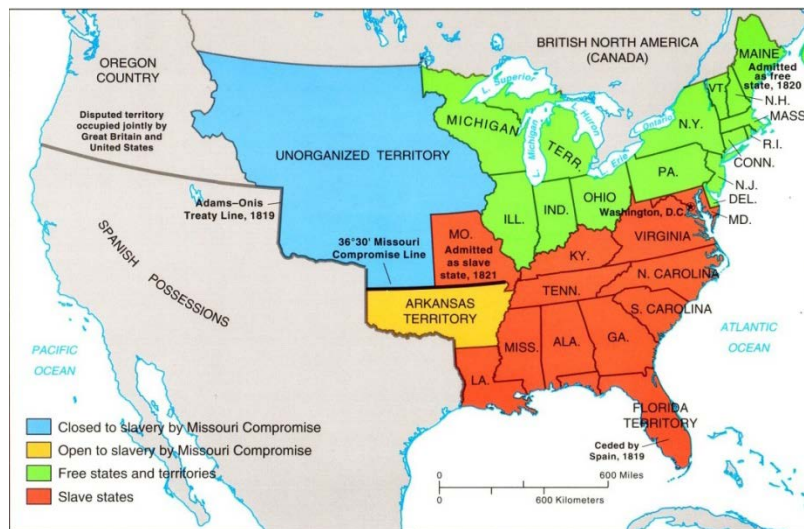
What he faces is a sectional, rather than a party, schism. In fact, the original Federalist Party is so weak and disorganized by 1819-20 as to be almost irrelevant to the debate – even though many believe that the Federalist leader, Rufus King, has engineered the entire controversy, using Tallmadge as a surrogate.

Personal philosophy aside, Clay begins to search for an immediate and practical compromise on Missouri. The solution needs to be one that satisfies both the South and North, while not jeopardizing his own presidential aspirations vis a vis JQ Adams, Calhoun and Crawford, and, for certain, Andrew Jackson.

Monroe himself remains distant from the political fray, in fairly characteristic fashion. His only interest lies in reaching a peaceful solution that doesn't violate the Constitution.

Time: February 17 To March 5, 1820

An Initial Compromise Passes In The Senate



The 36°36'' Line of Demarcation that Resolves Slavery in the Remaining Louisiana Territory

Clay recognizes the intemperance he displayed in his initial address to the House, and concentrates now on defusing the anger present in the chamber. A speech from later in his career reveals his down-home approach to tempering the political rhetoric:

We are too much in the habit of speaking of divorces, separation, disunion. In private life, if a wife pouts, and frets, and scolds, what would be thought of the good sense...of a husband who should threaten her with separation? Who should use those terrible words upon every petty disagreement in domestic life? No man ...would employ such idle menaces. He would approach with...kind and conciliatory language...which never fail to restore domestic harmony.

But rhetoric alone will not restore harmony in this case. The South sees the North's effort to contain slavery as an existential threat to its economic survival. They believe, properly, that slavery will either be allowed to expand geographically or it will wither and eventually disappear.

Solving the impasse will prove complex, and involve two key breakthroughs.

Credit for the first belongs to Clay himself. He recognizes that part of the Northern resistance to allowing Missouri's entry as a "slave state" is that this would tip the voting power in the Senate in favor of the South. But what if the ongoing efforts to break Massachusetts into two states could be resolved now? Might a quid pro quo – Missouri entering as a slave state and Maine as a free state – swing some Northern votes? This "trade" becomes an important part of the final compromise.

What remains, however, is the real lightning rod issue – will congress vote to "contain" slavery east of the Mississippi River or not?

The eventual answer here comes from the Senate, where Jesse Thomas of Illinois proposes a Solomon-like solution – simply draw a line on the map west from the Mississippi through the Louisiana Territory lands, and declare that all future states north of the line are to be free and south of the line to be slave.

Thomas argues that a hard line worked in the 1787 Northwest Ordinance and it should work again with the new territories.

To sweeten the pot here for the North, Thomas proposes to draw the new line from the southern, not the northern, border of Missouri – at latitude 36°30". Thus roughly 80% of the remaining Louisiana land will be declared "free" while only the Arkansas Territory will be open to slavery.

On February 17, 1820, a full year after Talmadge offered his amendment, the Senate passes the Thomas "hard line" proposal, a watershed moment in the controversy.

Still the Senate version needs confirmation in the House. On March 2, 1820, members agree to allow slavery in Missouri by a very close 90-87, which includes 14 yeas from Free State representatives.

The final decision now rests with President Monroe.

He recognizes the volatility of the issues, and has largely stayed on the sidelines as his own 1820 re-election campaign plays out. At the same time, as a southerner and a slave owner, he is troubled by the fact that Congress has weighed into the debate at all. The 1787 Constitution has sanctioned slavery and its presence in Missouri has already been established. Still the conflict needs resolution, so he signs the bill into law on March 6.

In the end, the Missouri Compromise legislation appears to settle the slavery question by resorting to the same “hard line on a map” solution of the founding fathers.

The South emerges with a tactical victory – Missouri is admitted to the Union as a slave state.

Stability is maintained in the North-South 12:12 state balance of voting power in the Senate.

Balance Of Power In The Senate: After The Missouri Compromise

Free States	Date	# Slaves	Slave States	Date	# Slaves
Pennsylvania	1787	200	Delaware	1787	4,500
New Jersey	1787	7,500	Georgia	1788	149,000
Connecticut	1788	100	Maryland	1788	107,400
Massachusetts	1788	0	South Carolina	1788	251,800
New Hampshire	1788	0	Virginia	1788	425,200
New York	1788	10,100	North Carolina	1789	205,000
Rhode Island	1790	50	Kentucky	1792	126,700
Vermont	1791	0	Tennessee	1796	80,100
Ohio	1803	0	Louisiana	1812	69,100
Indiana	1816	200	Mississippi	1817	32,814
Illinois	1818	900	Alabama	1819	47,400
Maine	1820	0	Missouri	1821	10,200

Meanwhile the North’s wins will prove to be more strategic in nature.

Yes, they have given ground on their wish to contain all blacks in the old South -- but their long-term leverage on the issue has been greatly strengthened in two ways.

First, to the chagrin of the South, the precedent is now established that Congress has the power to make calls about where slavery will or will not be permitted in all new U.S. territory.

Second, the 36’30” demarcation line set for the Louisiana Purchase land all but guarantees eventual dominance by the Northern free states in the Senate. And, in fact, the Louisiana land split will yield nine free states vs. only three slave states.

Some Southern leaders like the astute John C. Calhoun see this potentially ominous handwriting on the wall and try to rally opposition. But most are simply glad with the Missouri state outcome.

Time: August 10, 1821

A Second Compromise Is Needed To Finally Admit Missouri

The Missouri question appears to be over until the new state legislature submits a final constitution prior to the seating of its congressional members.

This document adds one more ominous coda to the entire debate – by seeking to ban all “free blacks” from taking up residence in the state.

In this way slave owners hope to make sure that freedmen do not stir up trouble and rebellions.

The U.S. House, however, balks once again.

Clay resorts to quoting Article IV, Section 2 of the U.S. Constitution in search of closure.

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

Southerners fire back, this time arguing that free blacks are not “citizens” according to the true meaning of the word in the Constitution.

When this debate threatens to further divide the South and North, Clay again works his way out by offering each side a partial victory.

The clause banning free blacks will stay in the Missouri Constitution, but the state will never pass a law to actually enforce it.

After a final flurry, both sides back off, and Missouri officially joins the Union on August 10, 1821.

But the outcome on Missouri is no more satisfying for the men of the 15th and 16th congresses than it was for delegates to the 1787 Convention.

Once again sectional divisions around slavery have sounded like Jefferson’s “*fire bell in the night*,” and, instead of resolution, another momentary truce prevails.

The North signals its racist resistance to black people and its intent to try to pen them up in the South, below politically agreed to lines of demarcation.

In turn, the South realizes that protecting the future of its plantation economy will rest not on language in the Constitution, but on winning political battles that expand slavery into new territory west of the Mississippi.

This battle is joined by the Tallmadge Amendment and the Missouri Compromise of 1820.

In effect it marks the moment in time when, for many northerners, the South is transformed into “the Slave Power.”