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# “A Sacrifice on the Altar of Slavery”

Doughface Politics and Black Disenfranchisement in Pennsylvania, 1837–1838

NICHOLAS WOOD

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In November 1838, the white citizens of Pennsylvania ratified a new state constitution that, among other things, stripped the franchise from the state’s black population. Following on the heels of black disenfranchisement in Tennessee and North Carolina, Pennsylvania completed the process of black disenfranchisement in all states south of New England. Although the decision was made at the state level, contemporaries recognized the national implications of black disenfranchisement within a federal union that was half slave and half free. Occurring during a time of rising antislavery agitation and sectional tension in Congress, the issues of black suffrage and abolitionism became inseparable. Many delegates at Pennsylvania’s Reform Convention believed that southerners would view black suffrage as “a sanction given to the anti-American doctrines of the abolitionists,” and realized their vote on black suffrage would be “carried to Congress to show how nearly this state was divided on the subject of abolition.” Meanwhile, southern newspapers declared: “Negro suffrage

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Nicholas Wood has a master’s degree from Rutgers University, Camden, and is a PhD student at the University of Virginia. He would like to thank the many people who helped improve this essay, especially Andrew Shankman and Peter Onuf. The author also benefited from the criticism and suggestions of Lorrin Thomas, Richard Newman, Margot Minardi and the other participants of the 2009 SHEAR annual meeting, Gary Gallagher, Jon Grinspan, Matthew Mason and the *JER*’s other outside readers, and Alison Wood, who has read more drafts and offered more encouragement than anyone. He would also like to thank the staff at the Historical Society of Pennsylvania and the Library Company of Philadelphia.

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is a *black spot* upon the escutcheon of Pennsylvania . . . which we would be pleased to see speedily eradicated.”<sup>1</sup>

The connection between northern disfranchisement and southern slavery was also obvious to Pennsylvania’s black leaders like Robert Purvis, who helped pen the *Appeal of Forty Thousand Citizens Threatened with Disfranchisement*. Purvis and his coauthors charged that the Reform Convention delegates had “laid our rights a sacrifice on the altar of slavery” and were motivated by “the desire which is felt by political aspirants to gain the favor of the slave-holding States.” Black suffrage was a “dangerous example” to southern slaves, and disfranchisement helped reconcile the juxtaposition of black slavery and black freedom within the Union.<sup>2</sup>

Although both whites and blacks, in the North and South, highlighted the connection between black disfranchisement and the sectional controversy over slavery and abolitionism, historians have given less attention to this context. Instead historians often lump Pennsylvania into the standard interpretive model for racial disfranchisement in the North, presenting it as a tragic outcome of the clash between democratization and racism. Popular prejudice was undoubtedly an essential ingredient in Pennsylvania, but the scholarly focus on race obscures other issues more salient to the historical actors we study, such as fear of disunion and the need to preserve intersectional political parties. The second half of the

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1. John Agg, ed., *Proceedings and Debates of the Convention of the Commonwealth of Pennsylvania to Propose Amendments to the Constitution, Commenced at Harrisburg, May 2, 1837* (14 vols., Harrisburg, PA, 1837–39), 9: 328 (Sturdevant), 10: 109 (Shellito); A postscript in the *Virginia Free Press* explained that it had just learned that Pennsylvania had voted in favor of black disfranchisement, and applauded the decision; *Virginia Free Press* (Charlestown), Jan. 25, 1838. On black disenfranchisement in Tennessee and North Carolina, see Lacy K. Ford, *Deliver Us from Evil: The Slavery Question in the Old South* (New York, 2009), 390–448.

2. Robert Purvis et al., “The Appeal of Forty Thousand Citizens, Threatened with Disfranchisement, to the People of Pennsylvania,” *The Liberator* (Boston), Apr. 13, 1838. Purvis’s *Appeal* was also printed as a pamphlet and has been reprinted in Richard Newman, Patrick Rael, and Phillip Lapsansky, eds., *Pamphlets of Protest: An Anthology of Early African American Protest Literature, 1790–1860* (New York, 2001), 132–43. For Purvis’s career as a black leader and abolitionist, see Margaret Hope Bacon, *But One Race: The Life of Robert Purvis* (Albany, NY, 2007).

1830s was a period of intense sectional tension, and recognizing the desire of northern politicians to promote sectional harmony is essential to understanding the process of black disfranchisement.<sup>3</sup>

The conventional model of black disfranchisement is as follows. During the colonial era, explicit racial restrictions on suffrage were rare, but virtually all blacks were excluded as a result of slavery and high property requirements. In the early decades of the republic, gradual emancipation in the North and the movement away from property requirements converged, creating the possibility of enfranchising large numbers of blacks as a byproduct of enfranchising poor whites. Many whites feared that blacks (often former slaves) were not culturally or intellectually prepared for suffrage, and many states adopted explicit racial restrictions in order to facilitate the expansion of suffrage among white males. New York provides a classic example of this tragic irony, barring the vast majority of

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3. Pennsylvania disfranchisement has been recently examined by Julie Winch, Eric Ledell Smith, and Christopher Malone, though all neglect the importance of national developments, treating Pennsylvania in isolation. Winch and Smith are especially strong when discussing black activism in response to disfranchisement, but Winch places black disenfranchisement in the context of ending property requirements for whites, and Smith focuses on local partisanship without acknowledging the importance of national party politics and sectional tension. Malone provides a good analysis of the socioeconomic conditions of blacks in the 1830s, but also focuses on state and county politics while neglecting national developments. Julie Winch, *Philadelphia's Black Elite: Activism, Accommodation, and the Struggle for Autonomy, 1787-1848* (Philadelphia, 1988), 130-42; Idem., *A Gentleman of Color: The Life of James Forten* (New York, 2003), 294-300; Eric Ledell Smith, "The End of Black Voting Rights in Pennsylvania: African Americans and the Pennsylvania Constitutional Convention of 1837-1838," *Pennsylvania History* 65 (Summer 1998), 279-99; Christopher Malone, *Between Freedom and Bondage: Race, Party, and Voting Rights in the Antebellum North* (New York, 2008), 57-99. On moving beyond the focus on race, see François Furstenberg, "Beyond Freedom and Slavery: Autonomy, Virtue, and Resistance in Early American Political Discourse," *Journal of American History* 89 (Mar. 2003), 1295-1330. On the importance of union, see the work of the Peter Onuf, especially Peter Onuf and Nicholas Onuf, *Nations, Markets, and War: Modern History and the American Civil War* (Charlottesville, VA, 2006); Gary Gallagher, *The Union War* (Cambridge, MA, forthcoming). See also Elizabeth Varon, *Disunion!: The Coming of the American Civil War, 1789-1859* (Chapel Hill, NC, 2008). In many ways my emphasis on anti-abolitionists' primary concern with union rather than racism parallels David Grimsted's discussion of anti-abolitionist mobs in Grimsted, *American Mobbing 1828-1861: Toward Civil War* (New York, 1998), esp. 11-54.

blacks from voting while dropping the property requirements for white males just prior to the maturation of its gradual abolition law. Some historians place greater emphasis on the role of race formation at the grass-roots level, in which whites claimed rights based on their “whiteness” while denying them to blacks and other groups deemed innately and biologically inferior. Historians often connect this growing racism, especially among the lower classes, with the Jacksonian Democratic Party, which generally supported slavery in the South and oppressive treatment of free blacks in the North. At times Democrats were also motivated by the fact that most blacks who did vote generally voted for the opposition.<sup>4</sup>

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4. The revised New York constitution maintained a property requirement of \$250 for free blacks, disfranchising all but a very small number. Leon F. Litwack, *North of Slavery: The Negro in the Free States, 1790–1860* (Chicago, 1961), 80–83. On the trend of racial disfranchisement throughout the nation, see *Ibid.*, 75–93; Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York, 2000), 54–65; Rogers M. Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven, CT, 1997) 166–215; Robert J. Steinfeld, “Property and Suffrage in the Early American Republic,” *Stanford Law Review* 41 (Jan. 1989), 335–77; and Jacob Katz Cogan, “The Look Within: Property, Capacity, and Suffrage in Nineteenth-Century America,” *The Yale Law Journal* 107 (Nov. 1997), 473–98. During the last two decades, historians have increasingly emphasized the grass-roots origins of race formation, especially in the context of white immigrants who hoped their “whiteness” would protect them from exploitation. For example, see David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York, 1991); Alexander Saxton, *The Rise and Fall of the White Republic: Class Politics and Mass Culture in Nineteenth-Century America* (New York, 1991); Noel Ignatiev, *How the Irish Became White* (New York, 1995); James Brewer Stewart, “The Emergence of Racial Modernity and the Rise of the White North 1790–1840,” *Journal of the Early Republic* 18 (Summer 1998), 181–217; and *Idem.*, “Modernizing ‘Difference’: The Political Meanings of Color in the Free States, 1776–1840,” *Journal of the Early Republic* 19 (Winter 1999), 691–712. Other recent works on the hardening of racial lines, but with less emphasis on the role of white immigration, include Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and “Race” in New England, 1780–1860* (Ithaca, NY, 1998); Bruce Dain, *A Hideous Monster of the Mind: American Race Theory in the Early Republic* (Cambridge, MA, 2002). My thinking is most in line with Dain, who argues that racial ideologies remained in flux throughout the 1830s and 1840s. For a critique of whiteness scholarship, see Peter Kolchin, “Whiteness Studies: The New History of Race in America,” *Journal of American History* 89 (June 2002), 154–73.

All of these factors had some bearing in Pennsylvania, but the specific details of black disfranchisement there also present significant problems for these explanations. First, black disfranchisement in 1838 was *not* accompanied by any significant expansion of white voters. Pennsylvania had been the first state to drop its property requirement in 1776, but the tax requirement adopted at that time remained in the 1838 constitution. Rather than serving as a means to facilitate the democratization of suffrage among whites, black disfranchisement was a policy goal unto itself in Pennsylvania. The context of abolitionist controversy, rather than the process of suffrage expansion, is more relevant to black disfranchisement in the 1830s. Second, although popular prejudice was widespread in Pennsylvania, this tended to make explicit disfranchisement unnecessary as most blacks were already disfranchised by bureaucratic and extralegal means. Thus the debates over black disfranchisement had greater symbolic rather than practical effect. Moreover, even proponents of black disfranchisement conceded that the appearance of black inferiority was likely the result of circumstance rather than innate difference. Political expediency was therefore more important than racial ideology. Third, although Democrats led the push for disfranchisement and appealed to the prejudice of lower class whites and their fears of black labor competition, this proved insufficient motivation and justification to enact disfranchisement. About one-fifth of the Democrats initially opposed explicit disfranchisement as an unnecessary contradiction of the abstract ideals of the American Revolution and the Democratic Party. Only after equating black suffrage with abolitionism and presenting disfranchisement as essential for the stability of the Union and intersectional political alliances

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Early examples of emphasis on the Democratic Party as vehicle for the influence of slaveholders include Richard H. Brown, "The Missouri Crisis, Slavery, and the Politics of Jacksonianism," *South Atlantic Quarterly* 45 (Winter 1966), 55–72; and Leonard L. Richards, "The Jacksonians and Slavery," in *Antislavery Reconsidered: New Perspectives on the Abolitionists*, ed. Lewis Perry and Michael Fellman (Baton Rouge, LA, 1979), 99–118. The bulk of recent historiography has come to accept this view; for example, see Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815–1848* (New York, 2007); but for a contrasting interpretation, see Sean Wilentz, *Rise of American Democracy: Jefferson to Lincoln* (New York, 2006). Jonathan Earle's study of antislavery Democrats confirms the functionally proslavery tendency of the bulk of the party; Earle, *Jacksonian Antislavery & the Politics of Free Soil, 1824–1854* (Chapel Hill, NC, 2004).

did Democrats unite behind the measure, joined by significant numbers of Whigs and some Anti-Masons.<sup>5</sup>

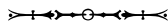
Studying black disfranchisement in the context of sectional tension also raises broader questions about the nature of racial politics and race formation in antebellum America. Recent work on the grass-roots development of racial identities has expanded our understanding of the politics of race in the United States. Yet this trend can also obscure the importance of national politics and top-down influences on local racial policies. For example, Joanne Pope Melish builds on the work of “whiteness” scholars such as David Roediger, Noel Ignatiev, and Alexander

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5. During ratification of the 1838 constitution, Democrats publicly claimed that suffrage had been extended “considerably beyond its present allowance,” but in reality only minor changes were made. The state residency requirement was lowered from two years to one, and the district residency requirement was lowered to ten days. These changes benefited laborers who tended to move frequently. In addition, young men aged twenty-one or twenty-two who had not begun paying taxes were also enfranchised (though they would follow the normal tax requirement after age twenty-two). But these limited changes were not dependent on black disfranchisement. *Pennsylvanian* (Philadelphia), Feb. 23, 1838; Agg, ed., *Proceedings*, 13: 35. The Democrats’ claims seem to have confused some scholars; Julie Winch and Margaret Hope Bacon state that in 1838 Pennsylvanian blacks were explicitly disfranchised when the state dropped its property requirement for voting, and Philip Foner states that it occurred when Pennsylvania dropped its tax requirement. In fact the property requirement had been abolished in 1776, and the tax requirement remained under the 1838 constitution. Winch, *A Gentleman of Color*, 295; Bacon, *But One Race*, 60; Foner, *History of Black Americans, Vol 2: From the Emergence of the Cotton Kingdom to the Eve of the Compromise of 1850* (Westport, CT, 1983), 209. In places where blacks represented a significant portion of the population, such as Philadelphia, tax assessors often refused to add blacks to the lists of voters. These bureaucratic means were supplemented with threats of violence. Agg, ed., *Proceedings*, 1: 149 (Brown); 2: 477–78 (Martin); *Ibid.*, 4: 81 (Read); *Ibid.*, 5: 422 (Cummin); *Ibid.*, 6:3 22–23 (Maclay). See also Alexis de Tocqueville, *Democracy in America, and Two Essays on America* (1835; repr. New York, 2003), 295. On the condition of blacks in Pennsylvania, see also Gary B. Nash, *Forging Freedom: The Formation of Philadelphia’s Black Community, 1720–1840* (Cambridge, MA, 1988); Winch, *Philadelphia’s Black Elite*; Winch, *A Gentleman of Color*; Emma Jones Lapsansky, “‘Since they Got Those Separate Churches’: Afro-Americans and Racism in Jacksonian Philadelphia,” *American Quarterly* 32 (Spring 1980), 54–78; Richard Newman, *Freedom’s Prophet: Bishop Richard Allen, the AME Church, and the Black Founding Fathers* (New York, 2008).

Saxton, but argues that they gave *too much* attention to southern slavery (even though they address slavery mainly as it exists in the minds of northern white workers). National politics and sectional tension play virtually no role in her analysis of race formation in New England, focusing instead on northern gradual emancipation as the only relevant context.<sup>6</sup>

Melish and others suggest that racism developed out of local circumstances and primed many northerners to oppose abolitionism and support racial oppression. Yet analysis of the Reform Convention demonstrates the limited influence of grass-roots prejudice and the importance of southern slavery on black civil rights in Pennsylvania. Building a majority coalition in favor of disfranchisement required attracting the support of political moderates. These moderates responded more favorably to appeals to sectional harmony than racial prejudice. Most of the men who came to support black disfranchisement were not merely racists or tools of the Slave Power. Instead they viewed black suffrage as a necessary sacrifice to promote a greater good—the harmonious perpetuation of the Union that made republican self government possible in a hostile world. Examining doughface politicians on their own terms helps us understand the complex interplay of top-down and bottom-up influences on the history of race in America.<sup>7</sup>



When the Pennsylvania Reform Convention met, between May 1837 and February 1838, suffrage reform was *not* the central issue. Economic issues, such as the chartering of banks and corporations, as well as concerns about executive power patronage and judicial tenure, were much more important, both to the Democrats who sought change and the opposition coalition of Whigs and Anti-Masons who did not. Many of these issues transcended local circumstances correlating to affiliations with national parties, and the Panic of 1837 further galvanized the partisan di-

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6. Melish, *Disowning Slavery*, 5–6.

7. Even Leonard Richards, perhaps the foremost advocate of taking the “Slave Power”—the top-down political influence of slaveholders on national politics—qualifies his argument by citing disfranchisement as an example of bottom-up racial politics. My analysis of black disfranchisement supports Richards’s general thesis about the influence slaveholders on doughface politicians, while also taking the doughfaces’ political views more seriously. Richards, *Slave Power: The Free North and Southern Domination, 1780–1860* (Baton Rouge, LA, 2000), 116–17.

vide. Most Pennsylvanian Democrats may have been prejudiced, but their affiliation with the national party was based more on the belief that the party of Jackson and Van Buren, despite its southern base, represented their economic interests and cultural values.<sup>8</sup>

Although most Pennsylvania Democrats viewed slavery as an evil institution, they also viewed slaveholders as essential political allies against the “Monied Aristocracy” of banks and corporations. To the Democrats, the proliferation of banks and corporate charters represented special privilege promoting speculation and economic instability. By supporting these policies, Whigs and Anti-Masons appeared to be actively working to create new forms of social hierarchy. Fortunately, according to Senator James Buchanan, “hope is beaming from the sunny climes of the South.” Meanwhile, Andrew Jackson hailed Pennsylvania as “the Keystone to our republican arch” in the battle against the “aristocracy of the few, aided by the Banks & the paper money credit system.” Slaveholders and northern laborers—united by their common role as “producers”—allied in opposition to these forms of Whig corruption. Furthermore, the current generation of slaveholders could not be blamed for the injustice of an institution they had inherited from the British Empire. As the Democratic historian George Bancroft wrote in 1834, slavery had been imposed on the southern colonies by the “mercantile avarice of a foreign nation,” a theme frequently echoed by northern apologists for slavery. Slavery was an inherited dilemma, which appeared to have no practicable solution.<sup>9</sup>

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8. For partisan goals at the Reform Convention, see for example *United States Gazette* (Philadelphia), Oct. 17 and 27, 1836; *Pennsylvanian* (Philadelphia), Nov. 3, 1836; *United States Gazette* (Philadelphia), Nov. 3, 1836; *Pennsylvanian* (Philadelphia), Oct. 10 and 31, 1838. See also Charles McCool Snyder, *The Jacksonian Heritage: Pennsylvania Politics, 1833–1848* (Harrisburg, PA, 1958), 96–110; Rosalind Branning, *Pennsylvania Constitutional Development* (Pittsburgh, PA, 1960), 21–32. On party politics in general, see Snyder, *The Jacksonian Heritage*; Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America* (New York, 1990), 172–97; Michael Holt, *The Political Crisis of the 1850s* (New York, 1978), 17–38.

9. James Buchanan to Robert Henry, Dec. 11, 1837, James Buchanan Papers, Reel 46, Historical Society of Pennsylvania (hereafter HSP), Philadelphia; Jackson to Buchanan, Aug. 24, 1837, *The Works of James Buchanan: Comprising His Speeches, State Papers, and Private Correspondence*, ed. John Bassett Moore (12 vols., Philadelphia, 1909–11), 3: 257–58; George Bancroft, *A History of the United States, From the Discovery of the American Continent to the Present Time, Vol. I*



Viewing abolitionism as impractical and threatening the union of the states, northern Democrats frequently sided with their southern counterparts against abolitionists. As Buchanan later explained in 1841, "In my own State, we inscribe upon our party banners hostility to abolition. It is one of the cardinal principles of the Democratic Party; and many a hard battle have we fought to sustain this principle." With a few notable exceptions, Pennsylvania Democratic politicians were able to overcome any reservations they may have had about supporting proslavery policies. They dismissed abolitionism as misguided, insincere, and counterproductive. Moreover, Democrats often viewed abolitionism and economic exploitation as two sides of the same threat. Many of their Whig and Anti-Mason opponents—"coalition members"—were involved in both. For example, Thaddeus Stevens, a leading Anti-Mason in the state legislature, outraged Democrats with his abolitionist agitation and his support for banking and corporate privileges. While Stevens and his allies "shed oceans of crocodile tears over the fate of the poor Indians . . . [and] negroes," they seemed to promote corporate privilege and the exploitation of white workers. One Pennsylvania Democrat even suggested that Bank of the United States president "old Nick" Biddle and his cronies were trying to incite slave insurrections as retaliation for slaveholders' refusal to "acknowledge the supremacy of [the] Bank & acknowledge the paternity of the Autocrats Bank over all others."<sup>10</sup>

Despite their general opposition to abolitionism, Democratic delegates were initially divided over the issue of black disfranchisement when it was first debated in June 1837. This early push for black disfranchisement was led by Democrats John B. Sterigere of Montgomery County

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(Boston, 1834), 178. See also Agg, ed., *Proceedings*, 7: 98–102 (Ingersoll); James Kirke Paulding, *Slavery in the United States* (New York, 1836); [William Drayton], *The South Vindicated from the Treason and Fanaticism of the Northern Abolitionists* (Philadelphia, 1836). Drayton was actually a South Carolinian Unionist during the nullification crisis and later moved to Pennsylvania.

10. *Congressional Globe*, 27<sup>th</sup> Congress, 3<sup>rd</sup> Session, *Appendix*, Dec. 5, 1842–Mar. 3, 1843, 103; Agg, ed., *Proceedings*, 6: 86–87 (Clarke); James A. Caldwell to Buchanan, Jan. 12, 1838, James Buchanan Papers, Reel 4, HSP, Agg, ed., *Proceedings*, 6: 86–87 (Clarke). See also Buchanan to F. R. Shrunken et al., June 1836, in *The Works of James Buchanan*, ed. Moore, 3: 114–124; Snyder, *Jacksonian Heritage*, 75–77; Beverly Wilson Palmer, ed., *The Selected Papers of Thaddeus Stevens* (2 vols., Pittsburgh, PA, 1997), 1: 38, 44–52.

and Benjamin Martin of Philadelphia. The advocates of disfranchisement initially appealed to popular prejudice and argued that blacks were innately inferior to whites. Yet after a week of debate, when the convention voted whether to add “white” as a requirement for the franchise, the delegates voted against it, 61 to 49. Of those that supported the amendment all but six were Democrats. Although a majority of the Democrats favored the race restriction, they were not united; eleven voted against the amendment. This rejection and the rhetoric from the debate demonstrate a reluctance to explicitly contradict the abstract ideals of natural rights and egalitarianism.<sup>11</sup>

Much had changed when the Reform Convention revisited the topic of black suffrage the following year. On January 20, 1838, the delegates voted to adopt the “white” amendment, 77 to 45. At that time all but three rogue Democrats supported the amendment, as well as numerous coalition members. The changing nature of debate on suffrage between June and January sheds light on the increased support for disfranchisement. Delegates on both sides of the issue increasingly focused on the connection between black suffrage in Pennsylvania and concurrent debates on abolitionism in the United States Congress. It appears that the controversy in Congress, in which northern Democrats were pressured to ally with southern slaveholders, also tipped the balance against black suffrage within Pennsylvania.<sup>12</sup>

At the national level, abolitionist mailings and petitions had been a controversial issue since 1835. Slave-state politicians warned they would be forced to secede if abolitionist agitation was not suppressed. In the Senate, Pennsylvanian James Buchanan was the most prominent dough-face allying with slaveholders to suppress “incendiary publications” and

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11. Agg, ed., *Proceedings*, 2: 477–78 (Martin), 541 (M'Dowell); *Ibid.*, 3: 83–85 (Martin). For the vote, see Agg, ed., *Proceedings*, 3: 91–92. The strength of Democratic and opposition delegates were essentially evenly matched at the convention. The list of Democratic and opposition delegates is in *Pennsylvanian*, Nov. 19, 1836 and Feb. 22, 1838. I also include John Dickey as a Democrat, as he identified himself, though he was labeled a “Bank whig” by the party after he supported the recharter of the Bank of the United States. References to the legacy of the American Revolution and natural rights were made explicit during the January 1838 debates; see Agg, ed., *Proceedings*, 9: 332 (Maclay), 338 (Earle), 355 (Biddle); *Ibid.*, 10: 13 (Foreword), 38, 50 (Darlington), 123 (Earle).

12. Agg, ed., *Proceedings*, 10: 106.

to "gag" discussion of abolitionist petitions. Buchanan feared that abolitionist agitation would "excite servile insurrection"; therefore, southern talk of disunion was a justifiable resort to the law of self-preservation. Preserving the union of slave states and free states required suppressing the abolitionist threat. In 1837 Buchanan reflected on his consistent support of the Gag Rule and told the Senate he was "never better satisfied with his own course." He also praised the Senate's discussion of the abolitionist threat as having "done much good, at least in his own State; because it enlightened the public mind . . . and brought it to reflect upon the dangerous consequences to the whole Union which might result from the abolition excitement."<sup>13</sup>

The fear that abolitionist literature—and especially woodcut illustrations—would encourage slave revolts was neither irrational nor merely hyperbolic rationalization. Some historians have dismissed these concerns by noting that slaves did not need didactic images to realize they were cruelly oppressed. However, history has shown that oppression alone rarely led to slave revolts; slaves were aware that the odds of success were generally stacked against them. Most revolts occurred when slaves believed—whether accurately or not—that outside allies would come to their aid. In addition to Denmark Vesey's conspiracy and Nat Turner's revolt, much larger slave rebellions in Demerara in 1823 and Jamaica in 1831 illustrated this point to contemporaries. In both cases slaves believed that sympathetic missionaries and British abolitionists would aid their struggle for freedom. Regardless of the intent of American abolitionists, it was not unreasonable to fear that slaves would view them as potential allies in violent efforts to overthrow slavery.<sup>14</sup>

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13. *Congressional Globe*, 27<sup>th</sup> Congress, 34d Sess., Dec. 5, 1842–Mar. 3, 1843, 239–40; *Congressional Globe*, 24<sup>th</sup> Congress, 1<sup>st</sup> Sess., *Appendix*, Dec. 7, 1845–July 4, 1846, 158. Richards, *Slave Power*, 127–33; William W. Freehling, *The Road to Disunion: Vol. I, Secessionists at Bay 1776–1854* (New York, 1990), 308–52. For Buchanan's speeches on Incendiary Publications and the first Gag Rule of 1836, see *Works of James Buchanan*, 3: 9–27.

14. Grimsted, *American Mobbing*, 18; Grimsted was responding to Leonard Richards, *Gentlemen of Property and Standing: Anti-Abolition Mobs in Jacksonian America* (New York, 1970), 52–57, who takes slaveholders' concerns more seriously, as do I. However, I agree with Grimsted's other critique of Richards, that he focused too much on anti-abolitionists' rhetoric of amalgamation and not enough on their concern for the safety of the Union. In general, *Gentleman of Property and Standing* gives insufficient attention to the role of national politics,

Moreover, Congressman John Quincy Adams's controversial 1836 speech on congressional war powers intensified fears of abolitionist-inspired slave revolt and its geopolitical implications. Adams warned, "From the instant that your slaveholding States become the theatre of war, civil, servile, or foreign, from that instant the war powers of Congress extend to interference with the institution of slavery in every way by which it can be interfered with." Rather than promise federal aid suppressing insurrections (as included in the Constitution), Adams suggested that Congress might negotiate "emancipation by treaty of peace" with the slaves. His speech also seemed to encourage slaves to rebel during foreign wars, when the South would be most vulnerable and Congress more likely to resort to drastic measures. In this context southern threats of disunion could appear as a justifiable resort to the law of self preservation. Northern doughfaces—in Congress and within state assemblies—believed the burden fell on them to suppress abolitionism where it began in order to conciliate the South and preserve the Union.<sup>15</sup>

Contemporaries connected black suffrage to both abolitionism and the potential for slave revolt. Since 1830, radical abolitionists such as William Lloyd Garrison had made black political rights a central tenet of abolitionism. This support could reinforce the (partially accurate) belief among slaves that they had northern allies in their efforts to escape from or overthrow slavery. Furthermore, the presidential campaign of 1836 had made it clear that failure to oppose black suffrage would be a political liability for any northern politician who aspired to the national stage.

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a defect Richards addressed in his *Slave Power*. On the connection between slave insurrections and the expectation of white allies, see Emilia Viotti da Costa, *Crowns of Glory, Tears of Blood: The Demerara Slave Rebellion of 1823* (New York, 1994); Mary Turner, *Slaves and Missionaries: The Disintegration of Jamaican Slave Society 1787–1834* (1982; repr. Kingston, Jamaica, 1998).

15. *Congressional Globe*, 24<sup>th</sup> Cong., 1<sup>st</sup> Sess., May 25, 1836, 4036–4049, quotes 4047 and 4040. On the duty of northern states to suppress abolitionism, see Charles Jared Ingersoll's reaction in 1841 after Adams presented his war powers thesis the second time. *Congressional Globe*, 27<sup>th</sup> Cong., 1<sup>st</sup> Sess., Appendix, May 3, 1841–Sept. 13, 1841, 70–75. Although Adams is frequently portrayed as originating the war powers doctrine used by Abraham Lincoln during the Civil War, Old Republicans had been warning of this potential since the Missouri Crisis; see John Taylor, *Construction Construed, and Constitutions Vindicated* (Richmond, VA, 1820), 284; John Randolph in *Annals of Congress*, 18<sup>th</sup> Cong., 1<sup>st</sup> Sess., Jan. 30, 1824, 1307–1308.

Southern opponents of Martin Van Buren repeatedly denounced his 1821 support at the New York constitutional convention to preserve the suffrage of blacks that met a special \$250 property requirement. By 1837, Pennsylvanians attuned to national politics were already aware of the larger implications of black suffrage, and during the Reform Convention Senator Buchanan continued sending dispatches from Washington stressing the necessity of suppressing abolitionism.<sup>16</sup>

Between the Reform Convention's formal discussions of black suffrage in June 1837 and January 1838, the issue surfaced repeatedly. In July 1837, after receiving a petition from free blacks in Pittsburgh requesting that their voting rights be preserved, delegates began connecting the local question of black suffrage to the national controversy over slavery and abolition. The Pittsburgh blacks challenged the racist stereotypes that characterized much of the initial debate by cataloging the achievements of the black community in Pittsburgh. Buchanan later wrote to the mayor of Pittsburgh condemning abolitionist activity there; at the convention Charles Jared Ingersoll (see Figure 1) led the move to table the blacks' petition.<sup>17</sup>

Ingersoll, the son of a founding father, had already earned southern praise for an anti-abolitionist Fourth of July oration he gave during Van Buren's presidential campaign. In the Reform Convention, his denunciation of the black petitioners mirrored Buchanan's condemnation of abolitionist petitions in the Senate. The question of black suffrage was of

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16. On radical abolitionism and civil rights, see James Brewer Stewart, *Holy Warriors: The Abolitionists and American Slavery* (rev. ed, New York, 1997); Paul Goodman, *Of One Blood: Abolitionism and the Origins of Racial Equality* (Berkeley, CA, 1998); Richard S. Newman, *Transformation of American Abolitionism: Fighting Slavery in the Early Republic* (Chapel Hill, NC 2002). Criticism of Van Buren's stance on black suffrage was repeatedly reprinted during his presidency and the Reform Convention. For example, *Natchez Daily Courier* (MS), May 30, 1838; *Columbia Telescope* (SC), Sept. 29, 1838; *Raleigh Register and North-Carolina Gazette*, Oct. 8, 1838. William Shade, "'The Most Delicate and Exciting Topics': Martin Van Buren, Slavery and the Election of 1836," *Journal of the Early Republic* 18 (Fall 1998), 466-68.

17. Agg, ed., *Proceedings*, 3: 683. The text of the memorial is printed with a short introduction in Eric Ledell Smith, "The Pittsburgh Memorial: A Forgotten Document of Pittsburgh History," *Pittsburgh History* 50 (Fall 1997), 106-111; Buchanan to Jonas R. McClintock, Jan. 13, 1838, James Buchanan Papers, Reel 46, HSP.

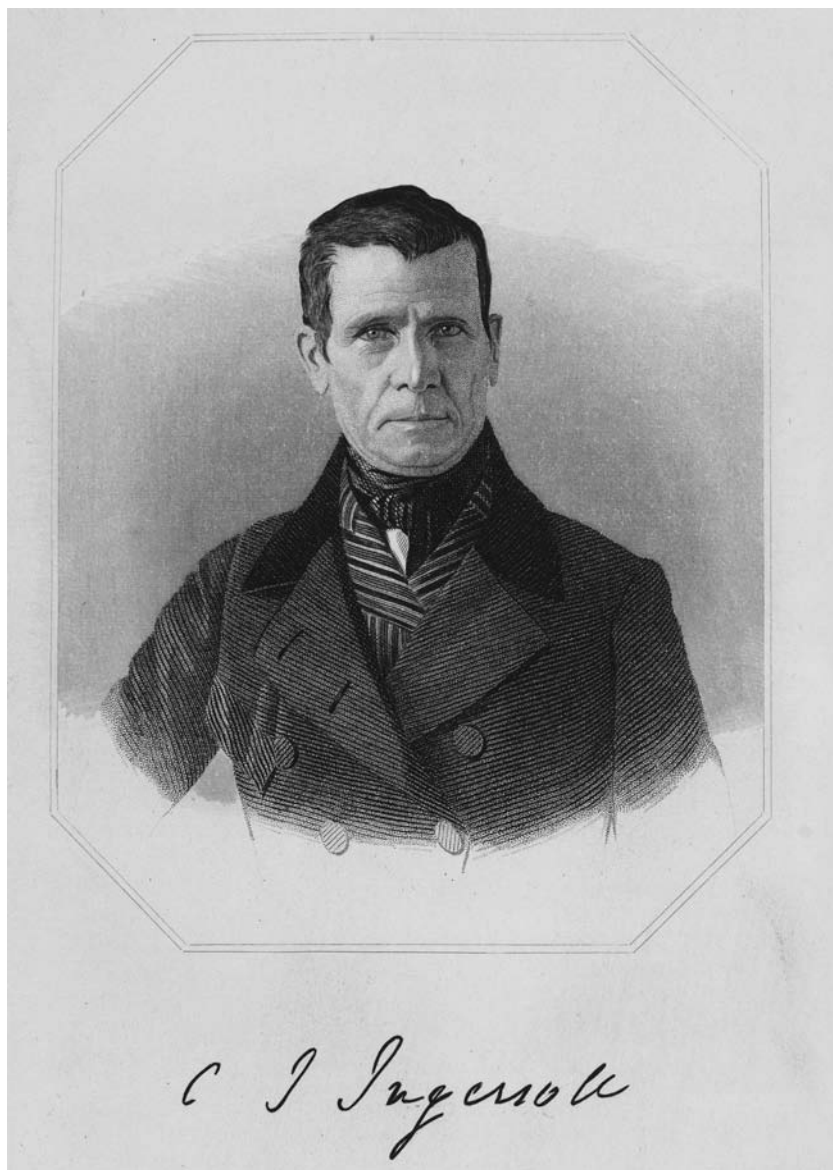


Figure 1: Democrat Charles Jared Ingersoll argued in support of black disenfranchisement by stressing the importance of sectional harmony and the dangers of abolitionism, rather than appealing to racism. This tactic proved effective at drawing widespread support. Engraving by J. R. Forest; image courtesy of the Historical Society of Pennsylvania.

"utmost importance" not only to Pennsylvania but to "the Union itself." The issue before them "had, of late years, assumed a fearful importance," and Ingersoll warned that "nothing should be done to commit this body, to involve this State, or to disturb the Union." James M. Porter, another prominent Democrat, declared that the "integrity of the Union ought to be preserved," and warned that printing petitions from blacks would be viewed as a "great triumph" for abolitionists. Charles Brown, a Democrat from Philadelphia, crossed the line from mere anti-abolitionism into a defense of slavery. Describing the love slaveholders had for their slaves as "akin to that which they have for their children and brothers," Brown argued that a "happier population than the slaves of Virginia was not to be found anywhere." Despite this intense opposition from many Democrats, Thaddeus Stevens led a successful effort to print the petitions, even though they "might be offensive to the south, and to those gentlemen who had been so much honored and flattered by the southern slaveholders."<sup>18</sup>

The issue of black suffrage arose again in November, when white residents of Bucks County petitioned against black suffrage after the votes of "thirty or forty negroes" led to the electoral defeat of two Democrats in a local election. This unusual event demonstrated the potential significance of black voting on party politics and some historians have argued that this election played a key role in motivating Democrats to support black disfranchisement as a means to gain local partisan advantage. Local politics undoubtedly reinforced some delegates' commitment to disfranchisement, but the evidence suggests that the desire to maintain intersectional harmony remained a greater concern. During discussion on the petition from Bucks County, the delegates continued to focus primarily on the national rather than local implications of black suffrage. George Shellito stated that Pennsylvania might as well "withdraw from the Union at once" rather than offer such a "gross insult to the southern states of the Confederacy." John Cummin likewise argued that black suffrage was one of the "schemes of abolitionism" and "intended, if possible, to bring the north into collision with their brethren of the south."<sup>19</sup>

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18. Agg, ed., *Proceedings*, 3: 6 83–84 (Ingersoll), 683–84 (Porter), 695 (Brown), 694 (Stevens). The convention voted 56 to 46 to print the petition; Agg, ed., *Proceedings*, 3: 701. For Ingersoll's 1835 oration, see *Washington Globe* (DC), July 10, 1835. On Ingersoll's background, see Larry Tise, *Proslavery: A History of the Defense of Slavery in America, 1701–1840* (Athens, GA, 1987), 239–46.

19. Agg, ed., *Proceedings*, 10: 47 (Darlington on the "thirty or forty negroes"); *Ibid.*, 5: 418 (Shellito); 423 (Cummin). For the submission of the petition see

Outside of the Reform Convention, Democrats organized a number of protest meetings in response to the events in Bucks County. In addition to sending petitions to the Reform Convention and Pennsylvania legislature, Bucks County Democrats also initiated a court case seeking to overturn the election results. The presiding judge, John Fox, had participated in anti-black suffrage meetings and helped bankroll the *Doylestown Democrat*, which denounced convention delegates who supported black suffrage. Thus it was not surprising on December 28, 1837, when Judge Fox ruled that blacks could be *free men*, but not *freemen* as intended by the state constitution and thus could not vote. Pennsylvania Democrats praised this ruling and notified James Buchanan so he could spread the good news in Washington.<sup>20</sup>

Although made at the local level, Judge Fox's decision, like the Reform Convention, was shaped by the national debate on abolitionism. One of the primary anti-black-suffrage organizers in Bucks County was Samuel D. Ingham, former Secretary of the Treasury under Andrew Jackson. Ingham remained close with Senator John C. Calhoun of South Carolina, and the two corresponded about abolitionism in Congress and in Pennsylvania. Calhoun subsequently flattered Ingham as "the only man in the State, that I have ever met with, that took enlarged views of our institutions" and encouraged him to continue using "your best ef-

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Ibid., 5: 414. Bucks County appears to have been one of the places where blacks voted regularly, as had been previously noted in the Convention. It was also home to a county auxiliary of the American Anti-Slavery Society. Agg, ed., *Proceedings*, 3: 90 (Brown); *Genius of Universal Emancipation* (Mount Pleasant, OH), Oct. 1837, 113. For historians who emphasize the local partisan dynamic of black disfranchisement, see Malone, *Between Freedom and Bondage*, 13; Lyle L. Rosenberger, "Black Suffrage in Bucks County: The Election of 1837," *Bucks County Historical Society Journal* (Spring 1975), 28–36.

20. Coverage from the *Harrisburg Keystone* (PA) on protest meetings was reprinted in *The Liberator* (Boston), Nov. 10 and 17, 1837; and *Mississippian* (Jackson), Jan. 19, 1838. See also *Genius of Universal Emancipation* (Mount Pleasant, OH), Oct. 1837, 66. Rosenberger, "Black Suffrage," 32; Webster Grim, *Historical Sketch of the Doylestown Democrat, 1816–1916: With Biographical Sketches of the Editors* (Doylestown, PA, 1916), 70. *Opinion of the Hon. John Fox: President Judge of the Judicial District Composed of the Counties of Bucks and Montgomery, against the Exercise of Negro Suffrage in Pennsylvania* (Philadelphia, 1838). William Rogers to Buchanan, Senate Chamber, Harrisburg, Jan. 7, 1838, James Buchanan Papers, Reel 4, HSP.



forts to give proper direction to events in your State." Judge Fox also had ties to Calhoun; a few months after ruling that blacks could not vote he and Ingham were visiting Calhoun in Washington. And Calhoun was not the only southerner who appreciated the actions of Ingham and Fox; news of the decision was printed throughout the South. The *Washington Chronicle* praised the ruling along with Fox and Ingham: "no State in the Union can boast of two more able advocates of the old State Rights doctrine."<sup>21</sup>

Despite being praised as definitive, Judge Fox's ruling did not settle the issue of black suffrage in Pennsylvania. The ruling contradicted a recent decision in Luzerne County, which maintained that Pennsylvania's constitution and laws could not "legally be construed to prohibit free negroes and mulattoes [*sic*], who are otherwise qualified, from exercising the rights of an elector." The Luzerne decision had been appealed and was pending before the Pennsylvania Supreme Court; thus the constitutionality of black suffrage remained ambiguous in the state. Aside from increasing national attention, the main contribution of the Bucks County ruling to the Reform Convention was the argument that blacks had never been intended to vote in the first place. Presenting the "white" amendment as a return to original intent rather than an innovation made it appear less repugnant. Samuel Purviance expressed a common sentiment when he stated he would have protected black suffrage if he believed the privilege "had been granted to them by the fathers of the American Revolution." Even after Judge Joseph Hopkinson, the convention's foremost legal authority, refuted Judge Fox's ruling and cited other precedents demonstrating that black suffrage was accepted in 1790,

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21. Calhoun to S[amuel] D. Ingham Oct. 25, 1838, in *The Papers of John C. Calhoun*, ed. Robert Lee Meriwether, William Edwin Hemphill, and Clyde Norman Wilson (28 vols., Columbia, SC, 1959–2003), 14: 442–43. *Washington Chronicle* reprinted in *The Mississippian* (Jackson), Sept. 7, 1838. See also Calhoun to S[amuel] D. Ingham Apr. 3, 1836, *Papers of Calhoun*, ed. Meriwether et al., 12: 137–38; Calhoun to S[amuel] D. Ingham, Feb. 5, 1837; *Ibid.*, 384–85; Calhoun to S[amuel] D. Ingham, Senate Chamber, Feb. [10, 1837], *Papers of Calhoun*, ed. Meriwether et al., 425–26. Calhoun to L[ewis] S. Coryell, May 12, 1838, *Papers of Calhoun*, ed. Meriwether et al., 292. *Daily Commercial Bulletin and Missouri Literary Register* (St. Louis, MO), Jan. 20, 1838; *Virginia Free Press* (Charlestown), Jan. 25, 1838; *Pensacola Gazette* (FL), Jan. 27, 1838; *Arkansas State Gazette* (Little Rock), Feb. 21, 1838.

other delegates still clung to Fox's ruling as justification for their support of disfranchisement. Ultimately the strength of the original intent argument against black suffrage was less that it was persuasive than that it provided a veneer of legitimacy.<sup>22</sup>

Meanwhile, events outside the Reform Convention continued to elevate sectional tension over abolitionism. In late December 1837, John C. Calhoun proposed six anti-abolitionist resolutions in the United States Senate. Although presented as if representing "state rights," Calhoun's resolutions did not so much limit federal power as employ it on behalf of slaveholders. While his second resolution declared that domestic institutions were purely under the jurisdiction of individual states, his next resolution stated that the federal government was "bound so to exercise its powers, as to give, as far as may be practicable, increased stability and security to the domestic institutions of the States." Even sympathetic senators were forced to note that this positive use of federal power appeared "directly conflicting with the spirit and import" of the preceding resolution. Another resolution implied that Texas should be annexed in order to augment the political power of the slaveholding states and another rejected mainstream northern constitutional interpretation to insist that Congress had no powers over slavery in the District of Columbia or in the territories.<sup>23</sup>

Calhoun's description of his resolutions—like the southern praise of Fox and Ingham—as embodying state rights can appear hypocritical. It could be argued that a state's right to petition Congress against slavery and enfranchise its own black inhabitants represent the true spirit of state

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22. Quoted in *Fogg and Others v. Hobbs*, in *Reports of Cases Argued and Determined in the Supreme Court of Pennsylvania Vol. 6*, ed. Frederick Watts (Philadelphia, 1837), 554; Agg. ed., *Proceedings*, 10: 120–21 (Purviance). See also Agg. ed., *Proceedings*, 9: 325–26 (Sturdevant). On the argument that blacks were never intended to vote, see Agg. ed., *Proceedings*, 5: 422–23 (Cummin), 423 (Sterigere); *Ibid.*, 9: 358–367 (Sterigere); *Ibid.*, 10: 105 (Meredith). On Hopkinson's legal opinion, Agg., ed., *Proceedings*, 10: 97.

23. *Congressional Globe*, 25<sup>th</sup> Cong., 2d Sess., Dec. 4, 1837–July 9, 1838, 55 (Calhoun's resolutions); *Congressional Globe*, 25<sup>th</sup> Cong., 2d Sess., Appendix, Dec. 4, 1837–July 9, 1838, 22 (Hubbard). See also *Congressional Globe*, 25<sup>th</sup> Cong., 2d Sess., Dec. 4, 1837–July 9, 1838, 39–40, 55; Calhoun to J[ames] Ed[ward] Colhoun, Jan. 8, 1838, *Papers of Calhoun*, ed. Meriwether et al., 14: 70.

rights. Denying these powers, by contrast, represented the Slave Power's corruption of state rights—appropriating the label while using the powers of centralization on behalf slavery. Calhoun's resolutions and praise for black disfranchisement demonstrate the difference between the 1830s proslavery conception of state sovereignty in contrast to the strict construction of the previous generation of Old Republicans, such as John Randolph of Roanoke. In Calhoun's conception of the Union, the federal government was the agent of sovereign states and obligated to use its power to protect state institutions, including slavery. Instead of merely refraining from actions *against* slavery, the federal government was called on to *support* slavery through positive actions. Furthermore, as Calhoun explained in his fourth resolution, when the states first established the Union, they made a "mutual and solemn pledge to protect and defend each other," which included the obligation to suppress abolitionism with northern states.<sup>24</sup>

Calhoun's resolutions drew heated opposition from northern Whigs and Anti-Masons, as well as renegade Democrat Thomas Morris (soon to be excommunicated from the party), who denounced the resolutions as a demonstration of the Slave Power's influence on politics. As he had during the initial Gag Rule debate, Pennsylvania's James Buchanan took the lead in toning down Calhoun's proposals to language more acceptable to northerners and then helped secure their passage. Although disparaged by contemporary critics and historians as northern men of *southern* principles, doughfaces like Buchanan viewed themselves as having enlarged *national* principles. They opposed abolitionism not to perpetuate slavery but to perpetuate the Union, subordinating antislavery sentiment to the perceived greater good of republican self-government. One of Buchanan's Virginian correspondents thanked him, reminding him that "On you northern gentlemen much, very much, depends in

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24. *Congressional Globe*, 25<sup>th</sup> Cong., 2d Sess., Dec. 4, 1837–July 9, 1838, 55. On Calhoun's theory of state sovereignty, see James H. Read, *Majority Rule Versus Consensus: The Political Thought of John C. Calhoun* (Lawrence, KS, 2009), 85–117; Michael Les Benedict, "States' Rights, State Sovereignty, and Nullification," in *Congress and the Emergence of Sectionalism: From the Missouri Compromise to the Age of Jackson*, ed. Paul Finkelman and Donald R. Kennon (Athens, OH, 2008), 152–87, esp. 186–87; Richard E. Ellis, *The Union at Risk: Jacksonian Democracy, States' Rights and the Nullification Crisis* (New York, 1987), 191–98.

this crisis. If all were like [William] Slade & [John Quincy] Adams & [Thomas] Morris, the Union could not last a minute longer.”<sup>25</sup>

Yet while Buchanan was conciliating the South in Congress, one of his constituents regretfully informed him that their own state was “doing as much for the abolition cause as any in the Union.” At the start of 1838, the Pennsylvania legislature (distinct from the Reform Convention) was considering issuing resolutions condemning the congressional Gag Rule. Buchanan did his best to counter this development by sending copies of his speeches on the dangers of abolitionism to Pennsylvanian newspaper editors. Much of his recent speech to the Senate, which was distributed in pamphlet form in Pennsylvania, had always been intended for northern audiences. He argued that the misguided philanthropy of abolition was counterproductive, delaying emancipation and having the “direct tendency. . . to foment servile insurrection.” With slaveholders fearing that their families “may be butchered, or worse,” disunion would be justified based on the “great law of self-preservation.” Should disunion occur—destroying the world’s foremost experiment in representative democracy—the burden of responsibility would lie on northerners who failed to suppress the abolitionists. Buchanan concluded by expressing his confidence that the “good sense and sound patriotism of the

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25. Slade, Adams, and Morris were among the most outspoken opponents of the Gag Rule. Richard E. Parke to Buchanan, Jan. 1838, James Buchanan Papers, Reel 4, HSP. *Congressional Globe*, 25<sup>th</sup> Cong., 2d Sess., *Appendix*, Dec. 4, 1837–July 9, 1838, 21–32, 36–41, 53–65, 69–74, 108–109. On Morris, see Earle, *Jacksonian Antislavery*, 37–48. *Congressional Globe*, 25<sup>th</sup> Cong., 2d Sess., *Appendix*, Dec. 4, 1837–July 9, 1838, 63–64. *Ibid.*, 30–31. Robert Pierce Forbes argues that doughfaces during the Missouri Crisis felt they were sacrificing their popularity for the good of the Union; see Forbes, *The Missouri Crisis and Aftermath: Slavery and the Meaning of America* (Chapel Hill, NC, 2007), 94–124. In 1835, J. K. Paulding called on northerners to emulate those who had supported compromise during the Missouri Crisis (which he viewed as ploy by opportunistic northern politicians to increase their political power): “There was, at that time, as there assuredly is at present, a number of members who acted upon principles of humanity and justice, and rejected with scorn the idea of being made the tools of ambitious politicians. They did what it is to be hoped they will do now, decline to become the cats-paws of a cabal, which, whether as antimasonic, antimail, or antislavery, is equally the enemy of liberty; equally the foe of religion and morality, in making one the cloak of political ambition, the other an excuse for interfering with the long acknowledged rights of free citizens.” Paulding, *Slavery in the United States*, 93, see also 5–7, 292–307.

people of the North, when once aroused to the danger, will apply the appropriate remedy." Buchanan's sentiments were subsequently reiterated by the Pennsylvania Assembly's Speaker of the House, and the legislature voted against the anti-Gag Rule resolutions.<sup>26</sup>

Although Buchanan's condemnation of abolitionism did not directly refer to black suffrage, others made the connection explicit. Southern newspapers continued to reprint criticism of Van Buren's (limited) support for black suffrage in 1821 and described the "odious principle of allowing negroes to vote" as a "question of paramount interest to the South." The *Virginia Free Press* even printed a crude joke about the contradiction of allowing northern blacks to vote while their southern counterparts were enslaved:

Bill, vat's the meaning of negro suffrage, I see in the papers so much?  
Vy, Jim, it's ven they're licked like blazes, I suppose; if that ain't *suferage*  
I don't know what is.

At the same time, abolitionist newspapers praised the "powerful argument and splendid eloquence" of delegates who defended black suffrage, and the Pennsylvania Abolitionist Society worked with local blacks in opposition to disfranchisement. The aid of abolitionists could only have

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26. Jason Waters to Buchanan, Jan. 7, 1838, James Buchanan Papers, Reel 4, HSP; *Congressional Globe*, 25<sup>th</sup> Cong., 2d Sess., Appendix, Dec. 4, 1837–July 9, 1838, 31. Benjamin Park to Buchanan, Jan 6, 1838, Buchanan Papers, Reel 4, HSP; Jason Waters to Buchanan, Jan. 7, 1838, Buchanan Papers, Reel 4, HSP; James A. Caldwell to Buchanan, Jan. 12, 1838, Buchanan Papers, Reel 4, HSP; Buchanan to Jonas R. McClintock, Jan. 13, 1838, Buchanan Papers, Reel 46, HSP. Buchanan's speeches were also printed in pamphlet form, along with letters by Andrew Jackson praising Van Buren—the only doughface more prominent than Buchanan—as, *Slander Refuted, in Two Letters from Andrew Jackson. Also Mr. Calhoun's Resolutions Relative to the Constitutional Rights of the South on the Abolition Question: with Mr. Buchanan's Remarks on the Same Subject* (Philadelphia, 1838), <http://www.archive.org/details/slanderrefutedin00jackrich>, accessed November 1, 2010. J[esse] R[oe] Burden, *Remarks of Dr. J.R. Burden, of Philadelphia Co., in the Senate of Pennsylvania, on the Abolition Question, February, 1838* (Philadelphia, 1838), Samuel J. May Anti-Slavery Collection, Cornell University, <http://dlxs2.library.cornell.edu/cgi/t/text/pageviewer-idx?c=mayantislaavery;idno=23877608;view=image;seq=1>, accessed November 1, 2010.

furthered the equation of black suffrage and abolitionism and may have done as much harm as good.<sup>27</sup>

Amid the heightened sectional tension, black Pennsylvanians found the number of their supporters in the Reform Convention growing smaller. The radical Democrat Thomas Earle (Figure 2)—a member of the Pennsylvania Abolition Society who would be the Liberty Party’s vice presidential candidate in 1840—continued to defend black suffrage, but he was ostracized by his party and mocked as the “commander and chief of the black forces.” And although Whigs did not embrace black disfranchisement with the unanimity of the Democrats, they increasingly sided with them on this issue, perhaps influenced by southern Whigs’ continued denunciation of Van Buren’s earlier support for black suffrage. Whig converts to the disfranchisement cause used similar rhetoric to the Democrats, identifying black suffrage as a necessary sacrifice to promote harmony between the North and South. Slavery was such a delicate issue that it was “entirely improper” for the convention to “meddle with a question which had so much reference to the policy and action of many of our sister states.” Allowing blacks to vote would “violate a sacred pledge given by this state to her sister states, at the adoption of the constitution of the United States” and “may result finally in the overthrow of the Union.” This logic essentially paralleled Calhoun’s fourth resolution on slavery.<sup>28</sup>

As members of a northern-based party, Anti-Masons at the convention

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27. From the *Baltimore Chronicle*, reprinted in *Natchez Daily Courier* (MS), May 30, 1838; *Virginia Free Press* (Charlestown), Jan. 25, 1838; *Genius of Universal Emancipation* (Mount Pleasant, OH), Jan. 1838, 127. Winch, *Gentleman of Color*, 299–300.

28. Agg, ed., *Proceedings*, 10: 114 (Shellito); *Ibid.*, 9: 367–68 (Agnew), 328 (Sturdevant). For Earle’s speeches in defense of black suffrage, see Agg., ed., *Proceedings*, 10: 335–46, *Ibid.*, 10: 30–38, 124. For Earle’s background, see Edwin B. Bronner, *Thomas Earle As a Reformer* (Philadelphia, 1948). John Dickey, who identified himself as “a democrat, of that school who think freely, and act freely, who have opinions of their own, and who are not deterred by the threats or discipline of party from expressing them” (but had been excommunicated by the party after he supported the rechartering of the Bank of the U.S.) also continued to speak in support of black suffrage. Robert G. White, another Democrat, voted against black disfranchisement on both occasions, but did not enter the debate. Dickey to Charles Brown, Feb. 20, 1838, in *Scrapbook of the Convention Vol. 2*, ed. Charles Brown, HSP.



THOMAS EARLE  
(1796-1849)

Figure 2: Although committed to Democratic economic policies, Thomas Earle broke with his party by prioritizing egalitarianism over sectional harmony. Painting by William Merritt Chase; image courtesy of the Historical Society of Pennsylvania.

felt less pressure to appease the South and denounced slaveholders' influence on national and local politics. Echoing Senator Thomas Morris's well publicized denunciations of the Slave Power, Emmanuel Reigart, charged that southerners were "forging chains for the enslavement of their northern friends" by denying the right to petition Congress. Even worse, the slaveholders were "assisted by some recreant, degenerate sons of the north" who sacrificed their constituents' liberties in a "moment of party phrenzy." After denouncing congressional doughfaces, Reigart turned his attention to doughfaces in the Reform Convention. There, the "lash of the party has been unsparingly applied" to drum up support for black disfranchisement—"the triumph of southern principles in a northern state." Joseph R. Chandler, an independent minded Whig, continued the slavery metaphor to explain why so many had switched sides

since June: “The galling manacles of *party* slavery have been rattled within the walls of the convention—and the cry of traitor was shouted at the heels of a man, who, for a moment, lifted up his arm to work the freedom of the truth.” Delegates on both side of the issue recognized the connection between disfranchisement and appeasing the South; they only differed as to whether this was necessary. Although delegates like Reigart tried to dismiss fears of disunion as “farcical and ridiculous,” they failed to sway their opponents.<sup>29</sup>

Previous scholars have given little attention to the rhetoric connecting black suffrage to the South, instead focusing on the racial discourses used at the Reform Convention. Advocates of black disfranchisement often argued that blacks were innately inferior to whites, while defenders of black suffrage countered that the appearance of black inferiority was due to external factors, such as lack of education and opportunity. Some historians have cited black disfranchisement as evidence that during the 1830s nascent racial prejudices hardened into belief in innate inferiority. However, defenders of black suffrage proved much more effective when countering allegations of black inferiority than concerns about sectional tension. The debates show that racist arguments were among the weaker in the repertoire of pro-disfranchisement delegates, indicating that racial ideologies remained inchoate and in flux during this period. This is not to deny that white Pennsylvanians were deeply prejudiced, but their prejudice did not yet take the form of a coherent ideology of biological difference. Moreover, their concern about preserving good relations with southern whites offers greater explanatory power for understanding why the majority came to support black disfranchisement.<sup>30</sup>

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29. Agg, ed., *Proceedings*, 9: 371, 375–76 (Reigart); *Ibid.*, *Proceedings*, 10: 74 (Chandler); *Ibid.*, 9: 373 (Reigart). Reigart may have been thinking specifically of Buchanan, who came from the same county as him. See also *Ibid.*, 10: 40 (Darlington).

30. Christopher Malone analyzes the Reform Convention through the whiteness paradigm. While Malone accurately describes the basic parameters of debate over the nature of inferiority at the convention, his approach discounts other concerns such as sectional harmony, which I view as more important; see Malone, *Between Freedom and Bondage*, 91–98. For examples of racist arguments at the Reform Convention, see Agg, ed., *Proceedings*, 2: 541 (McDowell); *Ibid.*, 3: 83–85 (Martin); *Ibid.*, 9: 321 (Martin), 383. (Cummin); *Ibid.*, 10: 85–86 (Sterigere). For defenses of black capacity, see Agg, ed., *Proceedings*, 9: 376 (Reigart); *Ibid.*, 10: 9–12 (Foreword), 30–34 (Earle), 81–83 (Montgomery).



Not only did the push for disfranchisement initially fail in June of 1837 when prejudice provided the bulk of the argument, but during the January debate many pro-disfranchisement delegates eventually acknowledged that external factors probably accounted for the degraded condition of many free blacks. Defenders of black suffrage cited examples of black uplift and the degraded status of poor white immigrants, while arguing that blacks were capable of advancement when social obstacles were removed. Rather than reject these arguments and insist that blacks were immutably inferior, even some of the most outspoken opponents of black suffrage conceded that blacks were capable of improvement.

Democrat John J. M'Cahen admitted that free blacks were "civilized creatures, possessed of the same faculties, and capable of forming the same impressions as the whites." Nonetheless, "the peace, happiness, and prosperity of a community, sometimes depended on the adoption of measures, which bore somewhat harder on one portion of the people than on the other." Similarly, Charles Brown—who had previously described the happy slaves in Virginia—acknowledged that he "knew negroes living in the county of Philadelphia, who were fully as competent to exercise the right of voting as any man in the city or county of Philadelphia." Still, like M'Cahen, Brown supported disfranchisement. And although Brown denied that his actions were done purely to please the South, he equated black suffrage with abolitionism and disunion. The proponents of black suffrage "would have us put ourselves in an attitude of defiance to the southern states, instead of doing all that lay in our power to quiet the apprehensions and alarm which the mad schemes and conduct of northern abolitionists had created among them!" However, Brown trusted his fellow delegates would choose correctly "*if the right of the negroes to vote was to be put in the scale against the union of these states.*" Thus many of the seemingly most racist delegates actually accepted the logic and evidence of black potential, yet subordinated these bothersome details to the greater concern for sectional harmony.<sup>31</sup>

Discussion of African colonization also helped attract moderates' support for disfranchisement. Colonization presented a middle ground between the defense of slavery and abolitionism, promoting private

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31. Agg, ed., *Proceedings*, 10: 378 (M'Cahen), 391–93 (Brown, emphasis added). See also *Ibid.*, 2: 541 (McDowell), 9: 351 (Meredith), 391 (Brown), 10: 24 (Woodward), 94–96 (Hopkinson).

manumissions without increasing the number of free blacks that would migrate to the free states. Samuel Purviance, who switched his vote between June and January, identified himself as a colonizationist rather than an abolitionist or an apologist for slavery. After reflecting on the “question of expediency,” Purviance began supporting black disfranchisement. George Woodward, a Democrat, was more explicit about the connection between disfranchisement and colonization: “by giving blacks the right of suffrage, an everlasting obstacle is thrown in the way of colonization . . . But if you deny them the right to vote . . . you keep before them an abiding lesson, that this is not their fit resting place.” Although the Pennsylvania Colonization Society formally opposed black disfranchisement, some individual colonizationists embraced the thinking of Woodward (both Judge Fox and Samuel Ingham were vice presidents of the Bucks County Colonization Society). An unidentified group of colonizationists petitioned that the constitution be amended to prevent blacks from owning real estate as a further encouragement for colonization. This was in line with Democratic political economist Matthew Carey’s earlier suggestion that harsh laws could serve as “strong inducements” for blacks to “voluntarily” emigrate. Since 1817, many black Pennsylvanians had opposed the American Colonization Society, fearing coercive measures would be used to promote colonization. Now it appeared to them that through disfranchisement, “the fiendish spirit of *Colonization* is presenting itself here in a bold front, in order to *force us out of the country*.” Yet the idea of colonization could also help sooth the consciences of delegates who supported disfranchisement, because blacks who moved to Liberia “could enjoy a full measure of the privileges which are denied them here” while also demonstrating themselves to be “capable of self-government” and thus encourage gradual emancipation.<sup>32</sup>

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32. Agg, ed., *Proceedings*, 10: 121 (Purviance); 10: 24 (Woodward); M[athew] Carey, *Letters on the Colonization Society; and its Probable Results . . . Fourth Edition* (Philadelphia, 1832), 5; J. G. G. W., “Appeal to the Public,” *Genius of Universal Emancipation* (Mount Pleasant, OH), Jan. 1838, 143. The view that disfranchisement was intended to encourage colonization was also present in Purvis et al.’s “Appeal of Forty Thousand.” For Ingham and Fox, See *Colonization Herald* (Philadelphia), Sept. 9, 1837. On the proposal to ban blacks from owning real estate, see *Liberator* (Boston), Mar. 30, 1838; *Colonization Herald* (Philadelphia), Feb. 21, Mar. 21, and Apr. 4, 1838. On the opposition of black Pennsylvanians to colonization, see Winch, *A Gentleman of Color*, 189–91; Newman,

The final vote on the "white" amendment on January 20, 1838, showed that virtually all Democrats and many from the opposition coalition had come to support disfranchisement. Nineteen coalition members joined with fifty-eight Democrats to support black disfranchisement, against forty-two coalition members and three Democrats who opposed the change. Appeals to prejudice and original constitutional intent had been important, but these arguments had also provoked effective rebuttals. However, allusions to the danger of abolitionism to the perpetuation of the Union were unanswerable. The defenders of black suffrage could criticize the influence of slavery on northern politics, but could not allay concerns about preserving harmony within the Union.<sup>33</sup>

In late February 1838, prior to the ratification vote in November, the disfranchisement of black voters became law as a result of the Pennsylvania Supreme Court ruling in *Fogg v. Hobbs*. This overturned the previous Luzerne County ruling and confirmed Judge Fox's ruling in Bucks County. It was widely assumed that the presiding judge, John Bannister Gibson, postponed the case until the Reform Convention had voted on the issue. However, in his decision Gibson cited not the convention but a supposed ruling against black suffrage by the Pennsylvania High Court of Errors and Appeals "[a]bout the year 1795." Although no written record of the case remained, another lawyer's recollection of it was "perfect," and thus Gibson considered it "not the less authoritative as a precedent." (In 1858, a legal scholar demonstrated that the case in question was actually a freedom suit that had nothing to do with suffrage.) Gibson elaborated the argument against black suffrage that he assumed had been made in 1795, echoing the recent reasoning of John Fox.<sup>34</sup>

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*Transformation of American Abolitionism*, 96–99; Andrew Diemer, "Between Consent and Coercion: Free Black Politics and Opposition to the American Colonization Society," paper presented at the annual meeting of the Society of Historians of the Early American Republic, Springfield, IL, 2009; Matthew J. Hudock, "Sons of Africa: Colonization and Citizenship, 1780–1830," paper presented at Ibid.

33. Agg, ed., *Proceedings*, 10: 106.

34. *Fogg and others v. Hobbs*, in Watts, *Reports of Cases*, 6: 553–60. The decision was also printed in *Pennsylvania Inquirer and Daily Advertiser* (Philadelphia), Mar. 7, 1838; *Emancipator* (New York), Mar. 29, 1838; and, with commentary, in Frederick Marryat, *A Diary in America: With Remarks on Its Institutions* (3 vols., London, 1839), 1: 298–315. For the belief that Gibson waited until the convention ended, see Agg, ed., *Proceedings*, 9: 321 (M'Cahen);

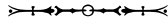
Judge Gibson had a reputation as a state-rights opponent of the nationalist tendencies of former Chief Justice John Marshall, and his ruling earned him the praise of southern proponents of slavery. However, as with Calhoun's conception of the Union, Gibson's ruling actually limited the sovereignty of northern states within the constitutional compact with slave states. After tracing the history of slavery and the word *freemen* in Pennsylvania, he addressed the national implications of black suffrage. Citing the federal Constitution's privileges and immunities clause, he argued that a class of people held in bondage in one part of the confederacy should not be treated as citizens in the other. Recognizing the influence of southern slavery on northern states, Gibson expressed his regret: "Every man must lament the necessity of the disabilities; but slavery is to be dealt with by those whose existence depends on the skill with which it is treated. Considerations of mere humanity, however, belong to a class with which, as judges, we have nothing to do." Like the delegates at the Reform Convention, Gibson recognized that the issues of

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*Pennsylvanian* (Philadelphia), July 28, 1838; Purvis et al., "Appeal of Forty-Thousand." The supposed precedent from 1795 was most likely the case of *Negro Flora v. Joseph Graisberry*, which was filed in 1795, though not decided until 1803. It is the only case bearing any resemblance to the supposed case on black suffrage. The actual decision ruled that the state constitution's bill of rights did not automatically free slaves, but did not address whether the suffrage clause applied to free blacks. See G. M. S., "The High Court of Errors and Appeals and Negro Suffrage," *American Law Register* 64 (Feb. 1858), 238–52. Fox disregarded or was unaware of other evidence supporting the view that free blacks were previously entitled to vote. In 1780, twenty-three Pennsylvania legislators signed a "Dissentient," against the recently passed gradual abolition law. One of their complaints was that the legislation should not have given "them the right of voting for, and being voted into offices." *Journals of the House of Representatives of the Commonwealth of Pennsylvania, Beginning the Twenty-eighth Day of November 1776 and Ending the Second Day of October 1781* (Philadelphia, 1782), 436. In 1790, the state constitutional convention debated and rejected adding "white" to the suffrage requirements, though the records are silent as to why. But members of the Pennsylvania Abolition Society understood this to confirm black suffrage. One wrote to an English abolitionist, "the free Black-Man is to be put on the footing of a citizen of Pennsylvania." PAS to Society for Effecting the Abolition of the Slave Trade, May 3, 1790. PAS Letterbook 1, HSP. Julie Winch has also shown the existence of precedents on both sides of the suffrage issue; see *Gentleman of Color*, 294.

black suffrage and black slavery could not be separated. The perpetuation of black slavery in the South forbade black suffrage in the North.<sup>35</sup>

In some ways, *Fogg v. Hobbs* made the "white" requirement for suffrage under the new constitution superfluous. Moreover, the successful ratification of the constitution cannot be seen as a public referendum on black suffrage, as limits on executive patronage and the tenure of judges were treated as more important gains by the Democrats (they had failed in their attempts to establish controls on corporate charters). Despite this, and the fact that the constitution was ratified by a very slim majority, some historians have portrayed ratification as evidence of popular racism.<sup>36</sup>



Undoubtedly many working-class Pennsylvanians took pleasure at being able to further degrade a class of people they viewed as labor competition, especially in a time of economic recession. There was also significant truth in Robert Puvis's view that slaveholders were the real beneficiaries of black disfranchisement: "Doubtless it will be well pleasing to the slaveholders of the South to see us degraded. They regard our freedom from chains as a dangerous example, much more our political freedom." Disfranchisement reduced the disparity between black slavery and black freedom while preempting the possibility that blacks could become an antislavery voting bloc in Pennsylvania. Moreover, oppression of free blacks may have discouraged slaves from believing they had northern allies in their struggle against bondage while limiting the North's attraction to would-be-runaways. But although northern politi-

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35. Gibson's ruling, printed in *Pennsylvania Inquirer and Daily Courier* (Philadelphia), Mar. 7, 1838. On Gibson and state rights, see R. Kent Newmyer, "John Marshall and the Southern Constitutional Tradition," in *An Uncertain Tradition: Constitutionalism and the History of the South*, ed. Kermit L. Hall and James W. Ely, Jr. (Athens, GA, 1989), 113; *Pensacola Gazette* (FL), Apr. 07, 1838.

36. For example, see the addresses of Democrats "To the People of Pennsylvania," *Pennsylvanian* (Philadelphia), Feb. 23, 1838; *Ibid.*, July 18, 20, 21, and 28, Aug. 1, 5, 6, 10, 14, 22, 28, and 31. The ratification vote was 113,971 to 112,759, yet has been described as "a decisive vote of approval" and "a huge majority." Agg, ed., *Proceedings* 13: 261. Litwack, *North of Slavery*, 86; Winch, *A Gentleman of Color*, 301.

cians who supported black disfranchisement recognized that their actions were influenced by the reality of southern slavery, they did not view themselves as tools of the Slave Power.<sup>37</sup>

Comparing the political philosophies of Thomas Earle and Charles Ingersoll—both Democrats from Philadelphia County but leading voices in opposition to each other on the issue of black suffrage—highlights the key elements of doughface politics. Earle took the principles of both his Quaker religion and the American Revolution to their logical conclusions, while Ingersoll argued that the reality of slavery and the perpetuation of the Union mandated compromises with idealism. Earle's open support for abolitionism only appealed to the radical minority, while Ingersoll's emphasis on union appealed to the moderate majority.

Earle refused to tolerate northern acquiescence in the national sin of slavery and later wrote that any “who oppose abolition agitation, who do not petition Congress, who vote for people who are not abolitionists, are guilty.” At the Reform Convention Earle advanced an antislavery perception of the Federal Constitution, claiming it “was framed with a view to the abolition of slavery, and the ultimate establishment in practice, of the equality of rights which its framers had advocated in theory.” In addition to supporting black suffrage, he called on Pennsylvanians to resist the fugitive slave law and provide alleged runaways with jury trials. Despite openly linking black civil rights with abolitionism and resistance to slavery, Earle rejected the fears expressed by other delegates that such agitation could lead to “a dissolution of the Union.” He claimed that the southern Nullifiers would respect black suffrage in the Pennsylvania because they supported “the right of each state to regulate its one concerns.” He asked, “What southern man ever objected to the suffrage of negroes in the northern states?” and answered, “None, so far as my knowledge extends.” This optimism was at odds with reality, as we have seen; southern nullifiers were among the most vocal in their criticism of Van Buren's past support for black suffrage and in support of Calhoun's attempts to use the power of the federal government to promote the interests of slaveholders.<sup>38</sup>

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37. Purvis, “Appeal of Forty-Thousand,” 141.

38. *Pennsylvania Freeman* (Philadelphia), Mar. 28, 1839, quoted in Bronner, *Thomas Earle*, 42; Agg, ed., *Proceedings*, 10: 31–32; 11: 312; 10: 38, 31. For Earle on fugitive slaves, see *Ibid.*, 11: 310–20. While Earle's advocacy of racial equality may be admirable and seem ahead of his time, it was based in part on

Ingersoll claimed to share Earle's hatred of slavery and even suggested that someday blacks could be given citizenship. But his conception of the Union and the United States Constitution—which his father had helped write—prevented him from supporting abolitionism or political rights for northern blacks. Praising the union of the states which brought Americans peace and prosperity and made them the envy of the world, Ingersoll declared that such advantages were “not to be rashly risked for any modern notion of the right of immediate emancipation of slaves, or political equality of blacks.” Moreover, he stressed that he supported the abolition of slavery while opposing only abolitionism. In a common refrain among doughfaces, he argued that concessions to slaveholders ultimately did more to hasten emancipation than did abolitionist agitation. He reported that he had been with James Madison as he lay on his deathbed reflecting on the state of the nation he had helped establish. The trend that Madison regretted most was the development of proslavery theories, which he believed arose only in response to the fanatical abolitionists who unintentionally encouraged slave resistance. The counterproductive efforts of these misguided philanthropists forced slaveholders to develop legal and ideological bulwarks against anti-slavery. In Ingersoll's opinion, the best way to promote eventual emancipation was through preserving sectional harmony and trusting in both “Providence” and “modern miracles.” Pointing to the “magical ejaculations of gas from distant reservoirs” that lit the convention chamber, Ingersoll predicted that other technological advances would ameliorate and ultimately end slavery. Thus appeasing slaveholders actually promoted eventual emancipation by preventing sectional discord and allowing progress to advance at its natural pace.<sup>39</sup>

It may be tempting to dismiss Ingersoll's speech as mere rationaliza-

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notions of race that were as antiquated and misguided as those who believed blacks were innately inferior. At one point during the debates he claimed, “Every man could see that the coloured race was becoming lighter.” And he reported that just as Africans became lighter skinned in America's climate, a “Portuguese colony in Africa had become black.” He then suggested that if any of the delegates would travel to “that quarter of the world” the “influence of the climate” might deprive them of the right to vote when they returned. See *Ibid.*, 10: 124.

39. Agg, ed., *Proceedings*, 11: 282–98, quotes from 282 and 292. Ingersoll was speaking in response to Earle's support for an amendment extending jury trials to alleged fugitive slaves. The amendment was defeated.

tion and condemn doughfaces as racist tools of the Slave Power as their contemporary opponents did; but to do so fails to appreciate the extent of sectional tension at the time and their difficulty imagining a peaceful end to the dilemma of southern slavery. Most Pennsylvanians, and northerners in general, were largely sympathetic to antislavery as an ideal, but experience seemed to suggest (not unreasonably) that abolitionism was more likely to destroy the Union than peacefully achieve emancipation. Through black disfranchisement and congressional Gag Rules the rights of blacks to vote and abolitionists to petition were sacrificed on the altar of Union.

As long as slaveholders and doughfaces only sacrificed the rights of marginalized groups, the vast majority of northerners willingly accepted them as the price of Union. But there was a threshold for tolerable doughfacism, and in the 1850s James Buchanan, as president, would cross that line through his support for slavery in Kansas and the *Dred Scott* decision. Although both policies were intended to promote sectional harmony by removing slavery in the territories as a political issue, they inhibited the rights of white northerners to an unacceptable degree. The backlash against these miscalculations split the Democratic Party and helped elect Abraham Lincoln. In this way Buchanan unintentionally helped bring about the Civil War, which ultimately ended slavery and enabled the re-enfranchisement of black Americans in its aftermath.<sup>40</sup>

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40. Varon, *Disunion!*, 294–99, 304–305.