

“The Watchful and Faithful Sentinel”

Henry Clay and the Missouri Compromise

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Many scholars have referred to the first and second Missouri Compromises, but the Missouri Crisis spanned two Congresses and had three key acts, and the question was constantly shifting ground throughout the congressional debates. The three key acts were the Tallmadge Amendment, Maine’s application for statehood, and Congress’s nullification of the article in Missouri’s constitution that prohibited free blacks from entering in and traveling through the state. Henry Clay played the role of statesman in all three acts by using his institutional position and authority to promote compromise and ensure union. He saw the House of Representatives as the key to republican self-government, and he sought to strengthen its influence as the leader in the creation of national policy. Clay believed that empowering the legislature necessitated building coalitions, instituting rules that promoted deliberation, and utilizing his power to ensure that debate did not devolve into disunion. Clay’s leadership throughout the Missouri crisis helps us better to understand the role of statesmanship and republican self-government.

INTRODUCTION

Although Henry Clay was revered for putting an end to the Missouri crisis, it is unclear what role he played to solve the controversy. David Heidler and Jeanne Heidler write, “Actually, Clay never publicly spoke for or against the Missouri Compromise, and he was in fact doubtful that it would calm rancor or long quell disunion.”¹ Merrill D. Peterson argues that Clay was “extolled as the author of the first Missouri Compromise, a title he did not deserve.”² While James Tallmadge and John Taylor from New York made a principled argument for gradual emancipation of slavery and stopping its spread and Jesse Thomas put forth the amendment that extended the Northwest Ordinance and made possible Northern

¹ David Stephen Heidler and Jeanne T. Heidler, *Henry Clay: The Essential American* (New York: Random House, 2011), 147.

² Merrill D. Peterson, *The Great Triumvirate: Webster, Clay, and Calhoun* (New York: Oxford University Press, 1987), 62.

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acquiescence of the bill, at the close of the crisis everyone believed that Clay played the most important role in warding off civil war and quelling sectional strife.

Clay is rightly considered the key actor in the Missouri Crisis, yet scholars have struggled to isolate the actions he took to direct its course. The extent of Daniel Walker Howe’s treatment of Clay’s role is that he “and the Senate Republican leaders busied themselves behind the scenes.”³ It is known that Clay urged “equitability” and begged both northerners and southerners to prioritize the good of the whole rather than the good of the section to which they belonged, but less well known are the measures that he took. This article first will show *how* Clay orchestrated the compromise by focusing on institutional mechanisms, such as his use of the prerogatives of the Speaker. Clay delayed consideration of the questions that would intensify debate, and throughout the first months of the 16th Congress he isolated the Maine and Missouri questions by placing them in committee and keeping them out of the chamber. He also placed the question outside of the Committee of the Whole in order to prevent factious passions from intensifying. Clay also used institutional means for the nobler end of achieving union through compromise. Rather than debating on the floor in order to advance his own sectional stance on the Missouri question, he organized coalitions or prevented their formation through his power of committee assignments. To prevent sectional alliances from taking root, he jumbled opposing coalitions in committees.

Clay’s use of committee was part of his broader effort to harmonize the factions within the House around the objective of union through mutual compromise. Like George Washington, Clay most feared the development of sectional parties and the role that they could play in dividing the union. Parties were realigning in the Era of Good Feelings, and northerners were becoming inflexible and intemperate as they committed to the moral principle of abolition.⁴ The Southern coalitions were haphazard and their own principles were ambiguous. This led Clay to fear that a partisan line would be drawn across the union and that southerners would become unified and uncompromising in their defense of slavery in order to combat denunciation.⁵ During the crisis this fear became a reality for Clay, so he sought to divide the Northern coalition against itself by allying himself with the more

³ Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (Oxford: Oxford University Press, 2009), 155.

⁴ Howe, *What Hath God Wrought*, 151.

⁵ On sectional parties and polarization, see Heidler and Heidler, *Henry Clay*, 147.

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moderate northerners such as Hezekiah Niles (discussed below in section three).⁶ He also attempted to offset the steadfast northerners with veteran Southern congressmembers such as Philip P. Barbour and William Lowndes (discussed below in section two).

A TALE OF TWO FACTIONS

The act that forever changed the complexion of the union and set off the initial sirens of disunion was the introduction of the Tallmadge Amendment relating to the Missouri Territory at the end of the day on February 14, 1819. The Committee of the Whole was “busily occupied until half past four o’clock in maturing the details of this (Missouri) bill, and discussing propositions for its amendment.”⁷ The speeches of the day went unrecorded, but the key actors were John Scott (Democratic-Republican - MO), George Robertson (Democratic-Republican - KY), Elijah Mills (Federalist - MA), William Henry Harrison (Democratic-Republican - OH), Richard C. Anderson, Jr (Democratic-Republican - KY)⁸, Henry Clay (Democratic-Republican - KY), Joseph Desha (Democratic-Republican - KY),⁹ James Tallmadge (Democratic-Republican - NY), and Philip Barbour (Democratic-Republican - VA).¹⁰ After discussing various amendments for the conditions of Missouri’s application, Tallmadge proposed an amendment which would declare free all blacks born in that territory after its admission into the union, and provide for the gradual emancipation of all those currently held in bondage. The motion “gave rise to an interesting and pretty wide debate,” and was supported by Tallmadge, Arthur Livermore (Democratic-Republican - NH), and Mills, but opposed by Clay, Barbour, and James Pindall (Federalist - VA).¹¹ However, the session adjourned before any questions could be taken up.

The next day Clay made a significant move: he did not occupy the Speaker’s chair. He left the chair because he wanted to participate in the debates over Missouri’s admission on the first day in order to frame the question. Clay’s move was a significant break with custom. He believed, and it was tacitly understood, that when acting as Speaker a member ought to

⁶ On Clay’s coalition, see Heidler and Heidler, *Henry Clay*, 12.

⁷ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session*, 1,165

⁸ A Representative from Kentucky who argued against the northerners throughout the Missouri Crisis.

⁹ Desha was one of the key actors during Clay’s first congress as Speaker. He was a senior member even then, and a member of the “war mess” that promoted war with Great Britain.

¹⁰ A senior member from Virginia, who became a key opponent of the northerners throughout the Missouri Crisis.

¹¹ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session*, 1,166.

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avoid speaking on the floor and participating in debate. Although the Speaker had the authority to cast a tie-breaking vote, he was to refrain from the partisan debates of the chamber in order to lead the House in a fair and objective manner through the rules of parliamentary procedure. This custom was important to the House in its early years because the Speaker, wielding the power of enforcing the rules, organizing committees, and ordering the questions that would be moved and taken up could easily silence opposition to favor the majority that elected him. Early in his speakership and leading up to the War of 1812, Clay remained in the chair and guided deliberation in the House by organizing coalitions through committee appointments and utilizing the rules of order to create the circumstances for debate. Nonetheless, vacating the chair became typical behavior for Clay throughout the Missouri Crisis. He sought to utilize all the tools at his disposal for quelling the sectional question.

When Clay was first elected Speaker (1811–1815), he had several advantages that he did not have by 1819.¹² Many members were newly elected and young, and they understood that they needed strong leadership to empower the House to act. They were joined in a common cause of war against Great Britain in order to cement American independence, and they hardly contested the Speaker’s powers to appoint and utilize the rules of order to steer the House. Despite his tendency to utilize his power to bend proceedings to his liking, Clay’s authority as Speaker had only been questioned within the chamber on one occasion. After his return from negotiations of the Treaty of Ghent, John Randolph accused him of using his power to stack committees.¹³

After his return from Britain, it became clear to Clay that he would have to rely on different modes of organizing and leading the House. Rather than stifle his opposition through utilizing the motion to the previous question and placing members on committees in order to silence them, he would have to lead the House on the floor through the powers of persuasion rather than pure manipulation. The reason for this change in leadership is likely related to the deterioration of parties and the resurgence of sectional coalitions by

¹² Randall Strahan, Vincent G. Moscardelli, Moshe Haspel, and Richard S. Wike, “The Clay Speakership Revisited,” *Polity* 32, no. 4 (Summer, 2000): 561–93.

¹³ *The Papers of Henry Clay*, 10 vols., ed. James F. Hopkins et al. (Lexington, KY: The University Press of Kentucky, 1959–1992), 2:423.

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1819; Clay could no longer rely on the allegiance of a select group of members because coalitions had become sectional.¹⁴

In 1819, the coalitions that Clay built had deteriorated through lack of maintenance. Away at negotiations, he could not maintain the cohesion of the coalition that he had fostered and united leading up to the War of 1812. Furthermore, the single aim of war that animated the members was no longer an issue. Nationalism had united that coalition but no longer expressed itself as a matter of going to war with Britain. Instead, National Republicans sought protectionist policy through tariffs and internal improvements. President James Monroe followed James Madison in objecting to the constitutionality of National Republican economic policy, and thus the Republican party split into the Nationalist and Democratic wings. Additionally, many in Clay's old coalition objected to policies that would make Congress the driver of the American economy.

Not only had Clay diminished cohesion by encouraging economic policy which favored the manufacturing interest of the country, but he also divided his own coalition by attacking Andrew Jackson and Monroe over the Seminole War. Moreover, many of the members of this coalition could not decide if their efforts in urging war were a great success or a monumental failure. And the new issue of slavery in the territories strained the old alliance leading into the Missouri Crisis. As James Sundquist argues, when a cross-cutting issue is introduced, parties tend to realign as they address the new issue.¹⁵ Thus by 1819, rather than remain in the Speaker's chair and steer the Committee of the Whole while guiding the younger members outside of the chamber, Clay understood that he needed to speak on the floor in order to once again lead the efforts of partisan realignment. According to Howe, "What the Missouri Compromise really prevented was not the rebirth of the Federalist Party but the breakup of the Republican Party along sectional lines."¹⁶

Clay's attempt to vacate the chair and speak on the floor aimed at disturbing the realignment of coalitions on a purely sectional basis while also making possible a realignment upon the principles of union. Throughout the Missouri Compromise he attempted to alienate the extreme northerners who wanted abolition at all costs and the southerners who

¹⁴ Charles Stewart III, "Architect or Tactician? Henry Clay and the Institutional Development of the U.S. House of Representatives," in *Party, Process, and Political Change in Congress*, ed. David W. Brady and Matthew McCubbins, 2 vols. (Stanford, CA: Stanford University Press, 2007), 2:133-57.

¹⁵ James Sundquist, *Dynamics of the Party System* (Washington D.C.: Brookings Institution, 1973), 39.

¹⁶ Howe, *What Hath God Wrought*, 155.

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threatened secession if slave property were not protected everywhere. He understood that the reformation of parties and coalitions hinged upon the members from the West like himself. Both North and South, he knew, would come to rely upon the West to win a majority in Congress, and he understood that this afforded him significant power to contribute to realignment. Rather than allow the West to act as a tool to the aims of the sectional coalitions that were taking root, Clay hoped that he could use his own section to moderate each and preclude the formation of sectional parties. In alienating the two extreme wings of each coalition, Clay attempted to draw more moderate members who believed in union into a new coalition.

When the Tallmadge Amendment was referred to the Committee of the Whole, it was supported by four men—Taylor, Mills, Livermore, and Timothy Fuller (Democratic-Republican - MA)—and opposed by four—Clay, Barbour, Pindall, and John Holmes (Democratic-Republican - MA). The initial support and opposition for the bill reveals its future course. The initial supporters illustrate the archetype of the Northern House member throughout the crisis: unified upon principle and unwavering in his condemnation of slavery. Taylor and Fuller were the first speakers in support of the amendment. They advocated the principled grounds for gradual abolition in Missouri and restriction in all territories west of the Mississippi.

In his opening speech, Taylor attempted to articulate the constitutional grounds for a congressional recognition of a territorial application for statehood. Fuller supplemented Taylor’s argument by referencing the principles of the Declaration of Independence. Both attacked Clay’s unrecorded argument. Livermore supported the amendment because it accorded “with the dictates of reason and the best feelings of the human heart.”¹⁷ At the close of the day he urged, “An opportunity is now presented, if not to diminish at least to prevent, the growth of a sin that sits heavy on the soul of every one of us.”¹⁸ The House voted to include the Tallmadge Amendment in a vote of 79–67.

Despite Tallmadge’s introduction of the amendment which defined the debates of the 15th Congress (1817–1819), his fellow New-Yorker John Taylor (not to be confused with John Taylor of Virginia) was the most outspoken of all of the supporters of the amendment,

¹⁷ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session*, 1,191.

¹⁸ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session*, 1,193.

and in many ways the most interesting. Taylor became Speaker following Clay's resignation in the 16th Congress (1819–1821). Although he cast his vote more often than Tallmadge in the 15th Congress, his DW-Nominate score shows that he allied with his party to the same extent that Tallmadge did, but, more importantly, he was as unwavering with regard to slavery as Tallmadge himself.¹⁹ Taylor gave the first speech in support of the Tallmadge Amendment. He attacked the southerners in the House for adopting principles that violated the Constitution and republicanism.

Although Tallmadge gains most of the credit for bringing on the Missouri Crisis, Taylor had been kindling the fires of sectional strife long before Tallmadge introduced his amendment. Earlier in the session Taylor played an important role in the debates over the admission of Arkansas, in which he attempted to abolish slavery in the deep South instead of restrict it. While chairing a committee on the Arkansas Territory, he proposed an amendment to outlaw slavery in the territory that was rejected in the House.²⁰ The Arkansas Bill in 1819 showed that compromise was possible; some northerners saw the impropriety of uncompromising abolitionism.²¹

But over time Taylor moderated—or at least cloaked—his opinions on slavery as he gained leadership within the House; perhaps his role throughout the Missouri Compromise even tempered his passions regarding slavery. Just months after he chaired the committee on the Arkansas Territory, Clay appointed Taylor to chair another committee on slavery in the territories. This committee was dissolved on December 28, 1819 due to its inability to reach a compromise on the Missouri question. Despite this, Taylor went on to win the speakership on the twenty-second ballot at the beginning of the second session of the 16th Congress, becoming Clay's replacement.²² William Lowndes of Georgia, a member of

¹⁹ The voting profiles of the 15th Congress on race issues, as tracked by Voteview, are to a certain extent unreliable. For example, Thomas Cobb is listed as one of the extreme and liberal members, but he was from the South and never voted for restriction, and Tallmadge himself is listed as “more conservative” than 88 percent of voting members. The statistics on party alignment are helpful in understanding coalitions and attaining a broad perspective of voting patterns. The typical Democratic-Republican charted in Voteview tracks a mere 64 percent “yea” voting pattern, which shows that the Democratic-Republican party was fracturing, and Taylor and Tallmadge both track a 61 percent, despite voting more often than the average House member. Although Taylor and Tallmadge seem to depart quite starkly from the party to which they belong, perhaps it is more accurate to say that they were actively reordering the party within the House.

²⁰ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session, 1222, 1231.*

²¹ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session, 1273–74.*

²² *Annals of Congress, House of Representatives, 16th Congress, 2nd Session, 437–38.*

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Taylor’s Committee on the Territories, was his opponent, and he attributed his loss specifically to his stance on slavery.²³

Until his election as Speaker, Taylor had been the leader of the anti-slavery forces in Congress. He had served as whip, making the motions, keeping track of absentees, and sounding out votes for the roll call. Paradoxically, upon election he “soared away to the Olympian heights of objectivity.”²⁴ Taylor did everything in his power to remain objective and nonpartisan. In a letter to his wife dated February 20, 1821, Taylor mentioned that his constant aim was impartiality.²⁵

Just as the support for the Tallmadge Amendment presents the archetype of the Northern coalition, the initial opposition to the amendment illustrates the division characteristic of those who argued for Missouri’s right to determine the laws of their own Constitution. The *Annals of Congress* note that “this debate (which was quite interesting) involved two questions; one of right, the other of expediency. Both were supported by the advocates of the amendment, and generally opposed by its opponents.”²⁶ The senior Southern members such as Barbour did not argue the propriety of slavery but rather made complicated arguments regarding the legal relationship between the 1803 treaty with France and the Northwest Ordinance, the sovereignty accorded by the Constitution to new states, and the propriety of diluting slavery by allowing it to expand westward. They attempted to show that the Northwest Ordinance did not extend to the Missouri Territory and that Congress had no authority to determine state laws.

Holmes and Clay exemplified the agreement upon the importance of union that led to the eventual Northern acquiescence to compromise. Pindall, the Federalist, went so far as to put forth an Anti-Federalist reading of the Constitution to support state sovereignty, arguing, “The Federal Constitution is a national, or rather *international* compact, in which the relations of sovereignty between the respective states and between those states and the general government are prescribed, adjusted, and limited.”²⁷ What was most clear, however, was that the new Southern coalition that began to shape after Missouri’s application for statehood lacked cohesion, and a new coalition would have to form in order to combat the fervor of

²³ Glover Moore, *The Missouri Controversy 1819-1821* (Gloucester, MA: P. Smith, 1967), 140.

²⁴ Moore, *The Missouri Controversy*, 141.

²⁵ Moore, *The Missouri Controversy*, 142.

²⁶ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session*, 1,170.

²⁷ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 1,265.

their Northern counterparts. Most frightening was the potential for unwavering sectional coalitions to develop and define the new era of party politics.

One of Barbour's most forceful arguments and one that reveals what was truly at stake during the debates over Missouri was that regarding the "prohibition" of southerners from the territory west of Mississippi. He began his argument, "In short, such were the feelings of the Southern people toward their slaves, that nothing scarcely but the necessity of the master or the crime of the slave would induce him to sell his slave."²⁸ Barbour's rhetorical appeal attempted to humanize the southern slaveowners, but in doing so he revealed the real difficulty of Missouri's admission. What Barbour first revealed, and what Clay had to balance throughout the Missouri crisis, was the Southern feeling that if slavery were prohibited in Missouri, then the federal government would be dishonoring the Southern people and robbing them of the equal protection of their property in all quarters of the union supposedly accorded by the Constitution. A federal amendment that forced emancipation on the people of Missouri would be tantamount to prohibiting southerners from enjoying the privileges of the land west of the Mississippi. Further, such policy would be a legal admission that the Southern way of life was unjust, dishonorable, and even sinful. Under such conditions, how could southerners consider themselves equal citizens of the Union? As a westerner who sympathized with the northern disdain for slavery, understood the southern argument for self-government, and above all desired the preservation of union, Henry Clay was charged with reconciling northerners' passions with southerners' feeling that they had been slighted and dishonored.

It is very difficult to enter the mind of Clay during the debates over Missouri, and scholars are divided over his approach. Clay's two great speeches went unrecorded and scholars are left to allusions to his argument by other members of the House and his objections to the members who hoped to misconstrue his argument in their favor. His argument was twofold: he hated slavery and hoped for gradual emancipation, but he nonetheless opposed Tallmadge's amendment for gradual emancipation in Missouri. David and Jeanne Heidler have recently argued that Clay was at his "moral nadir" during the Missouri Crisis: he equated enslavement to factory labor, utilized the lullaby argument that widening the scope of slavery would render the slave condition more tolerable (the "diffusionist" philosophy that has been

²⁸ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session*, 1,187.

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attributed to both Jefferson and Clay), and cast the deciding vote to allow slavery to remain unrestricted in the Arkansas territory.²⁹ Others have argued that Clay was not truly responsible for the Missouri Compromise because he did not pen any of the amendments that comprised it.³⁰ However, Clay’s approach is best understood as a way to balance divided coalitions throughout the Missouri Crisis in service to the preservation of the Union.

Clay’s positioning must be seen in context of his earliest works on slavery. In 1798 he wrote the Scaevola papers to urge his fellow citizens of Kentucky to amend the state constitution. Clay’s primary reason for doing so was to add a clause ensuring gradual emancipation. He argued:

Can any man truly be happy and contented when he sees near thirty thousand of his fellow beings around him deprived of all the rights which make life desirable, transferred like cattle from the possession of one to another; when he sees the trembling slave under the hammer surrounded by a number of eager purchasers and feeling all the emotions which arise when one is uncertain into whose tyrannic hands he must next fall; when he beholds the anguish and hears the piercing cries of husbands separated from wives and children from parents; when in a word all the tender and endearing ties of nature are broken asunder and disregarded; and when he reflects that no gradual mode of emancipation is adopted either for these slaves or their posterity doubling their number every twenty-five years. To suppose the people of Kentucky, enthusiasts as they are in the cause of liberty, could be happy and contented under circumstances like these, would be insulting to good sense.³¹

Although much had changed from 1798 to 1819, Clay’s understanding of federalism had not. In one of the last acts of his life in 1849, he advocated the same position to amend the Kentucky constitution to include a provision for gradual emancipation.³² Despite the seeming contradiction between his ethical understanding of slavery and his political action throughout the Missouri Crisis, Clay held onto the optimism that the people of the states were capable of self-government without encroachments from the federal government. According to

²⁹ Heidler and Heidler, *Henry Clay*, 144; see Howe, *What God Hath Wrought*, 149: “‘Diffusion’ of slaves ‘over a greater surface,’ as Jefferson explained it, would ‘facilitate the accomplishment of their emancipation’ by making local what populations more willing to contemplate the possibility of freeing them and by spreading the burden of paying compensation to masters.”

³⁰ Peterson, *The Great Triumvirate*, 62.

³¹ Henry Clay, “To the Electors of Fayette County,” *Papers of Henry Clay*, 1:5.

³² Clay’s letter to Richard Pindell, February 17, 1849, *Papers of Henry Clay*, 10:574–81, was circulated throughout Kentucky when the state attempted to revive the slave trade in 1848. Unlike his 1798 essay, Clay later in his life did not remove his name from arguments for abolition within the state.

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Howe, “Clay let it be known that he hoped they would adopt a gradual emancipation plan of their own, (although) there was never any chance of this.”³³

Clay’s support for gradual emancipation in Kentucky in 1798 and opposition to the Tallmadge Amendment in 1819 may be traced to his unchanging view of the Constitution and federal power. He believed that there was no precedent for Congress to affix conditions outside the Constitution for the future government of a state. Each territory had the constitutional authority to write and ratify a constitution, so long as it did not attempt to subvert the federal Constitution and so long as it secured a republican form of government. Although “some slavery restrictionists also argued that the constitutional duty to ‘guarantee to each state in this Union a republican form of government’ created a presumption against the introduction of slavery into new areas,” that reading of the Constitution was unconvincing to Clay.³⁴ His understanding of the Constitution explains the contradiction between his argument that Missouri could write slavery into its constitution and his role in striking down the section in their constitution prohibiting free blacks from travelling through the state. Although Missouri was still a territory, Clay agreed with the members who urged that Congress did not have the authority to affix conditions to the writing of a state constitution which would operate as municipal law once that territory had become a state. However, Clay believed that the Federal government *could* prohibit a state from banning free blacks—citizens with the right to freely travel—from entering its land because the federal government must protect the rights of citizens of one state from abuses in another.

The above considerations introduce the broader question of Clay’s statesmanship: his view on whether the representatives elected by the people of a state, many of whom had an anti-slavery constituency, were incapable of supporting national policy dear to their own principles because one section of the country claimed a right in the property of owning other men. Clay’s statesmanship throughout the several compromises reveals the complicated mode whereby he reconciled moral principle with union and a strict construction of the Constitution. The day after the vote on the Tallmadge Amendment, John Scott of Missouri argued, “If the citizens of Pennsylvania or Virginia enjoyed the right, in their own state, to decide the question whether they would have slavery or not, the citizens

³³ Howe, *What Hath God Wrought*, 155.

³⁴ Howe, *What Hath God Wrought*, 150.

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of Missouri, to give them the same privilege, must have the same right.”³⁵ If this right were not reserved to a citizen of Missouri, “discontent and murmurings would prevail against that general government who had deprived him of this equality.” It was true, as many southerners argued, that the Constitution granted Congress only the power to ensure that the states ratify a constitution that preserved the “republican form.” The reservation of this right to the people of Missouri was not only a legal necessity but also a prudential one.

To Clay, the first and most essential step to settling the crisis that threatened to divide the nation was to assure all citizens from all states that they had a vested interest in the general government and union. This served two purposes: first, if emancipation were ever to be effected, it must be done under this Union and no other; second, maintaining the Union was essential to the American experiment. If America failed to reconcile these differences of faction, then it could be said that deliberation and choice among free people was impossible and only accidental agreement or the sheer force of majority will could determine the future course of the Union. To put this in Lincoln’s later words, Clay’s failure to preserve union would prove that government “of the people, by the people, for the people” through representative bodies would perish from this earth.

The acceptance of Missourians’ right to decide upon the laws which governed their state was a legal and prudential necessity, and given the composition of the Senate it could not be avoided, but the real challenge of the Missouri Crisis was to mollify the arguments coming from the North that alienated the South and brought threats of secession. As will be discussed in the next section, the tactic that Clay used throughout the remainder of the Missouri debates was to divide the Northern coalition, rendering the abolitionist faction a minority while also alienating the Southern section that preferred civil war to compromise. By alienating the extreme wings of each sectional coalition, Clay hoped to gain a bare middle majority dedicated to compromise and union and capable of admitting both Maine and Missouri without creating a civil war in the process. He believed that through this process, the pivotal western coalition could avoid the creation of sectional parties and ensure a dedication to union among the majority.

³⁵ *Annals of Congress, House of Representatives, 15th Congress, 2nd Session*, 1,197.

BALANCING COALITIONS FOR COMPROMISE

The 15th Congress ended with Thomas Cobb's admonition to Tallmadge that "the Union will be dissolved. You have kindled a fire which all the waters of the ocean cannot put out, which seas of blood only can extinguish."³⁶ Although the Tallmadge Amendment had passed the House, the Senate rejected it overwhelmingly 31-7. Over the summer the question of Missouri's admission and the Senate rejection of the Tallmadge Amendment generated a number of northern petitions demanding that Congress outlaw slavery in Missouri alongside southern threats of secession if such a condition be accepted. By the time the 16th Congress convened both sides were primed for battle.

In 1819 a large majority of the House of Representatives still came from free states, while the Senate was composed of a bare majority of southerners. Thomas and Edwards of Illinois frequently allied with the southern members in the Senate, and other allies included northerners such as James Lanman of Connecticut and John Parrott of New Hampshire. In the House on December 8, Massachusetts Representative Holmes presented a petition from Maine asking for admission. Although the Maine admission bill became a lynch-pin in Clay's arrangement to gain northern acquiescence of Missouri's admission, the bill was initially a curse that heightened tensions rather than promised a solution.

The Maine question was not immediately taken up. Instead, it was urged that Congress reach a solution to the question before the end of January in order that Maine prepare for statehood. It is clear that Clay understood that the Maine bill would impinge upon the Missouri question. Throughout the first half of the first session, he held the opinion that Maine could in no way enter the union without Congress first promising the admittance of Missouri. Rather than immediately grappling with the Maine question, and thus exciting the passions that accompanied debate upon the Missouri Bill, Clay gave John Taylor of New York the floor in order that he propose a select committee to consider restricting slavery in the territory west of the Mississippi. It is likely that, more than expecting a solution to come out of Taylor's committee, Clay saw the Committee on Slavery in the Territories to be the mode by which he would shut the slavery question out of the chamber and likewise busy Taylor. He often used this tactic to silence John Randolph in the earlier congresses, tying

³⁶ Howe, *What God Hath Wrought*, 153.

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him to the international affairs committee with young warhawks who would overpower him while providing the illusion that Randolph had some authority in the matter and satisfying his desire to be heard.

The members appointed to the Committee on Slavery in the Territories were Taylor, Livermore, Lowndes, Barbour, Fuller, Harden, and John Cuthbert (Democratic-Republican - GA). Taylor and Livermore were two of the strongest supporters of the Tallmadge Amendment throughout the 15th Congress, but they were the only restrictionist members on the committee. Lowndes and Barbour were senior members from the South. Cuthbert was a Georgian like Lowndes. Harden was from Kentucky and someone whom Clay could trust as an ally—reelection to Congress in Kentucky was in large part contingent upon being in the Clay’s company. Thus Clay hoped to use the proposed committee to bide time while the Senate prepared a Maine bill for the House and to avoid busying the House with the debates that would distract it for almost the entirety of the second half of the session.

Clay employed this tactic for two reasons. He wanted to focus on Andrew Jackson’s conduct in the Seminole War, which he took as the most serious threat to free government. Without a declaration of war from Congress, Monroe had given Jackson authority to put down Indian tribes on the border of Florida. Jackson raised an army, invaded Florida to burn Indian villages, and marched on Pensacola. There he captured and imprisoned two subjects, one English and another Spanish; he prosecuted them by military tribunal and sentenced them to death. Clay also needed to address the economic depression that followed the Panic of 1819. This was of greater concern to constituents than the Missouri Crisis, which was only of pressing interest to the Washington community and abolitionists in the North.³⁷ The American System was already on Clay’s mind, and addressing the economy was more important than plunging headlong into the Missouri debate. Throughout Madison’s presidency Clay tried to expedite manufactures and internal improvements, but first Madison and then Monroe vetoed Clay’s internal improvement measures. After the Missouri Compromise had come to a close, Clay resigned as Speaker to attend to his finances because of the effects of the depression. As dear as union and reconciliation was to Clay, he hoped to support measures to improve the economic situation of the country before the Missouri question would again hold Congress in thrall. Clay also understood that it may be too early

³⁷ Moore, *The Missouri Controversy*, 90.

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for debate upon the Maine question, which would entail speaking of Missouri, and that would inevitably reintroduce the slavery question. If the Senate had not yet made clear that it would not accept Maine without Missouri, the Northern restrictionist rhetoric could fan into a conflagration of disunion oratory. Clay understood that if he did not postpone the Missouri debate until he had the tools for compromise before him, then the question would fester, agitate the proceedings, and enflame animosities over slavery across the entire union perhaps to the point of civil war.

At first it seemed as if Clay's plan would work; after he announced the committee, Taylor immediately moved to postpone the Missouri question until the first Monday of February.³⁸ But Taylor's motion was met with arguments from Scott of Missouri, Anderson of Kentucky, Lowndes, and Livermore, and the postponement was shortened to the second Monday in January. On December 28 Taylor rose to have the Committee on the Territories dissolved because "the committee had found that, after a free exchange of opinions, they could not, consistently with their ideas of public duty, come to any conclusion, or agree to any report which could promise to unite in any degree the conflicting views of the House on this question."³⁹ After his motion was agreed to, he immediately proposed that the House consider, not at present but at some future time, a "bill prohibiting the further introduction of slavery in the territories of the United States west of the river Mississippi."⁴⁰ But after the committee was dissolved, the debates that were once confined within committee were thrust upon the House. Lowndes immediately replied to Taylor, "It surely ought not to be expected that the House would pass without discussion a resolution expressed in such terms as the one before them."⁴¹ Lowndes rejected the "phraseology" of the resolution because it seemed to be written in terms that only authorized the House to consider restriction. Livermore urged that the resolution "pledged neither the house, nor the members individually, to vote on any bill reported in pursuance of it, if adopted."⁴² The former Committee on the Territories could not even agree upon the proper "phraseology" of a bill to speak of the territories at a time in the distant future! The House finally voted to postpone the resolution in question.

³⁸ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 735.

³⁹ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 801.

⁴⁰ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 805.

⁴¹ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 810.

⁴² *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 812.

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On December 30 the House finally considered the Maine bill, and Clay used a different stratagem in order to shape the distant Missouri question. He vacated the Speaker’s chair for the debate, and in the first speech on the bill he said that he “was not yet prepared for this question” before considering the constitutional questions regarding Congress and statehood with Maine.⁴³ Clay “wished to know ... whether certain doctrines of an alarming character—which persevered in, no man could tell where they would end—with a respect to restriction on the admission into the Union of States west of the Mississippi, were to be sustained on this floor.”⁴⁴ He asked that the House clarify “the conditions which Congress had a right to annex to the admission of new states; whether, in fact, in admitting a new State there could be a partition of its sovereignty.”⁴⁵ He urged that “on this subject ... there should be a serious pause; the question should be maturely weighed.”⁴⁶ Thus Clay used the call for Maine’s admission as an opportunity to refine the House’s understanding of its constitutional powers regarding statehood. He hoped that by clarifying these questions, or at least getting members to think seriously about them, he could create a principled foundation for compromise. Agreement on the Constitution and the powers of Congress surrounding the admission of Maine could be transposed on the looming Missouri debates. Clay believed that the Northern members would oppose the same restrictions on Maine that they were advancing with respect to Missouri. By reaching agreement on the constitutional questions of territorial application in the less controversial case of Maine, he could bind the Northern members of the House in a pledge of faith to compromise in the case of Missouri.

But Clay did more than urge a pledge of good faith through a discussion of constitutional principles; he also began to induce the northerners to consider the conditions that could be imposed upon Maine if they continued to use the power of the House to create conditions for Missouri. He proposed questions on the apportionment of representatives: if conditions could be imposed upon Missouri from the northerners in the House, could the southerners in the Senate impose conditions upon Maine which reduced the representation of the state of Massachusetts? Would this force some Massachusetts representatives to return home and wait until the next election, running against their colleagues with whom they now shared the

⁴³ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 831.

⁴⁴ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 831.

⁴⁵ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 831.

⁴⁶ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 831.

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chamber? Would the people of Massachusetts still agree to cede the territory which would become the state of Maine under such conditions? If the House would not accept that Missouri enter the union on an equal footing with the original states, then the Senate would not accept Maine. If Missouri were again denied the opportunity to submit her constitution, would she proceed with her threats to form a state without approval from Congress? If the House continued to block Missouri's application, they not only would make a mockery of federal and congressional power but also would potentially lose the opportunity of gaining a state of Maine while having to acquiesce in accepting a state of Missouri. And if this were the case, then they would lose the opportunity to match Missouri's entry with a free state of their own, thus losing their opportunity of maintaining equality in the Senate. Clay hoped to make clear to the northerners that they had much to gain from mutual compromise; the southerners were not the only ones who had something to lose when it came to the admission of new states.

Holmes, who would become a senator from Maine, responded to Clay by asking, "Will any one say that we ought not to be admitted into this Union? That unless we will agree to admit Missouri into the Union unconditionally, we ought not to be admitted! I hope the doctrine did not extend quite as far as that."⁴⁷ Clay quickly stood, interrupted, and firmly answered, "Yes, it did."⁴⁸ Although gentle in framing the Maine question for the House and hoping to gain the sympathy of the members, Clay used the Maine and Missouri questions to make clear to the factions of the House that neither could gain what it desired, despite numerical strength within that assembly, unless it pledged to compromise.

Clay's tactics as Speaker show his view of the importance of equity between the sections as a means to compromise. In his speech against Clay, Holmes remarked, "The honorable speaker, in his remarks, has said that equality is equity. So it is."⁴⁹ Clay hoped to prepare each faction to compromise as much as necessary for each side to receive equitable benefit from the admission of states. The powers of the federal government should not be used as a tool for the majority to exact its will at the expense of the minority. Despite his agreement with northerners on the justice of gradual emancipation, he combatted them because their strength as the majority fed their desire to justify bending the Constitution. In doing so Clay

⁴⁷ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 833.

⁴⁸ Howe, *What Hath God Wrought*, 154.

⁴⁹ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 839.

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hoped to fend off both majority tyranny and the formation of sectional parties. He understood that northerners in the House could not accomplish any of their aims because the southerners had a majority in the Senate.

THE SPEAKERSHIP AND STATESMANSHIP

After Clay’s speech and the reintroduction of the Maine and Missouri questions, a slew of states petitioned Congress over the admission of Missouri. The House did not attend to the bill that tied Missouri and Maine statehood and extended the Northwest Ordinance until February 1820, but the chamber nevertheless became a venue for sectional argument. The passions of the House regarding the Missouri question were inflamed by the opinions of Northern constituencies. In January a petition from the state of New Jersey reached the House floor urging that “to admit the territory of Missouri as a state into the union, without preventing slavery there, would ... be no less than to sanction this great political and moral evil.”⁵⁰ It continued, “even if it could be made a doubtful question, yet inasmuch as Congress have a clear right to refuse the admission of a territory into the union by the terms of the Constitution, they ought, in the present case, to exercise that absolute discretion, in order to preserve the political rights of the existing several states.” While the Northern states expressed abhorrence and intolerance toward the spread of slavery, it was questionable whether Congress had the proper authority to prevent its extension into Missouri, and if it did, whether it was prudent to do so. Clay was still not ready to speak of Missouri. He wrote to his friend John Crittenden in January, “No body seems to think or care about any thing else.”⁵¹ To Adam Beatty he wrote that it was “a most unhappy question, awakening sectional feelings and exasperating them to the highest degree. The words civil war and disunion are uttered almost without emotion.”⁵² While New Jersey’s proposed restriction resonated with Clay, he wrote to another friend, “I think the Constitution perfectly clear against the proposed restriction.”⁵³ All the while, Clay remained optimistic: “I incline to believe that it

⁵⁰ Horace Greeley, *A History of the Struggle for Slavery Extension or Restriction in the United States* (New York: Dix, Edwards, & Co., 1856), 25.

⁵¹ Clay to John Crittenden, January 29, 1820, *Papers of Henry Clay*, 2:769.

⁵² Clay to Adam Beatty, January 22, 1820, *Papers of Henry Clay*, 2:766.

⁵³ Clay to Jonathan Russell, January 29, 1820, *Papers of Henry Clay*, 2:771.

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will yet be arranged by a compromise. At all events you know I never despair of the Republic.”⁵⁴

On January 27 the Missouri question was again brought to the floor, and John Taylor of New York gave the opening speech discussing the restriction of slavery west of the Mississippi River. Samuel Foot (Democratic-Republican – Connecticut) had motioned to consider the proposition that would “prohibit the further introduction of slavery west of the Mississippi ... the territories in that quarter would be placed on the same footing as the ordinance of 1787 had placed the Northwest Territory.”⁵⁵ The time that Taylor had spent with the southerners in the Committee on the Territories had worn him down; his rhetoric was much more compromising than it had been a year earlier. Like many northerners, he was beginning to understand the steadfast aversion to restriction in the Senate. In his speech, Taylor went so far as to endorse a strong fugitive slave law and even claim that “in the event of domestic violence ... the whole strength of the nation is bound to be exerted, if needed, in reducing it to subjection.”⁵⁶ Although he offered the olive branch, he did so begrudgingly and recognizing slavery as a sin. He quoted Washington’s compromise letter to Congress, pointed to the “spirit of amity and mutual concession,” and pleaded that “the bond has been executed, and we will faithfully perform all its conditions; we yield without grudging, to the slaveholding States all the political advantage they have a right to demand.” The difficulty was that Taylor did not imagine that the slaveholding states had “a right to demand” the extension of slavery into the North, nor did he see his compromise as one of amity and mutual concession.

Other northerners who were opposed to the extension of slavery had become weary of the Missouri question’s monopolization of the chamber and began to work toward conciliation. By early 1820, it had become clear to many northerners in the House that the Thomas Amendment, which barred “slavery and involuntary servitude, otherwise than in the punishment of crimes” in all territory “north of thirty-six degrees and thirty minutes north latitude” would prevail over the Tallmadge Amendment. If the southerners in the Senate would not budge on Missouri’s right to form its own constitution, then many northerners in the House reasoned that a restriction on slavery in the remaining Northwest Territory would be sufficient to quell their consciences and convince their constituents that they had taken a

⁵⁴ Clay to Jonathan Russell, January 29, 1820, *Papers of Henry Clay*, 2:771.

⁵⁵ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 949, 950.

⁵⁶ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 952.

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stand against slavery. In the *Register*, Hezekiah Niles delivered one of the most eloquent calls for compromise: “I am severely opposed to the idea, generally, of drawing a line within the U. States—it would seem to establish different interests, and to create the worst sort of parties that we can possibly have ... but, as the principle of compromise was adopted at the formation of our Constitution, perhaps we may resort to it again with equal success.” He held onto the hope that the Senate might refine the bill and pass it to the House in a form more conducive to compromise. He argued that this question, above all others, ever required from the Congress “a reigning in of the passions, a cool judgment, a generous forbearance.” If ever there were a time, Niles argued, “it is now that the patriot should come forth, balance contending interests by the public good, and give stability to the Republic.”

The typical Northern and Southern arguments pinballed back and forth in the coming days. Some northerners wavered in their dedication to restriction, but others strengthened their cries. On February 4 Daniel Cook of Illinois argued, “Missouri may come ... from the wilderness, with her locks wet from the dews of the night, and knock, and knock, and knock, at your door for admittance, till she falls with weakness, and unless she comes in the white robes of freedom, and with a pledge against the future evils of slavery, with my consent she will not be admitted.”⁵⁷ The next day Henry Meigs from New York submitted a preamble and resolution that declared slavery “an evil of great and increasing magnitude” and called for a naval force powerful enough to “annihilate the slave trade,” “the emancipation of slaves in the United States,” and a provision on colonization.⁵⁸ Joseph Hemphill of Pennsylvania delivered a speech that appeared more an invitation to war than a deliberation on the territories. He ended by asking, “will the high-minded state of Virginia be disposed to break up the union on this occasion—Virginia that has enjoyed the highest honors of the nation, both in war and in peace? Will the other slaveholding states join in the contest? What is there to justify such a calamitous event? Wherein are we betraying our country? Do we not stand on the grounds of our ancestors?”⁵⁹ While many of the northerners wavered and sought reconciliation, and while Clay and Niles attempted to draw the members of the House toward compromise, the representatives from Pennsylvania attempted to bind the anti-slavery

⁵⁷ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 1113.

⁵⁸ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 1114.

⁵⁹ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 1135.

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coalition by arguing that the southerners had no choice, short of civil war, but to accept restrictions on Missouri's admission.

On February 7 Henry Clay "rose and expressed a wish to address the committee on the highly important question" the following day. The next day "Mr. Clay rose and addressed the committee nearly four hours against the right and expediency of the proposed restriction."⁶⁰ Although many argue that his February 8, 1820 speech on the Missouri question was the greatest speech he ever delivered, it was not recorded in any of the newspapers at the time, nor was an account written by any of his colleagues in the House. This is striking when contrasted with the general opinion that Clay had relentlessly set his sights on winning the presidency. Resolving the Missouri Crisis would win him national fame, and recording the speech that he spent so much time in preparing would certainly bolster his case. But Clay did the opposite. He did not want his argument recorded and he prevented others from doing so; in the House, almost every speech on the Missouri crisis was firmly set in the record except for Clay's. Clay did so, we submit, because he wanted to minimize the nation's attention to the issue that threatened to break up the union, and he wanted the House to understand that the welfare of the Union transcended the petty wishes of any individual to rise to fame within it. Clay not only wanted his words to urge disinterested compromise for the good of the whole, but his actions as well. This is the distinctive mark of a statesman: he hopes to lead not only by persuasion, but also by action.

According to one account, Clay's plea brought many of the members to tears. Another account states that "everyone felt the electricity of his mind ... his elocution was so rapid, his argumentation so restless, and his manner so vehement and impetuous, that I believe none were unmoved, and but few retired unconvinced."⁶¹ But Clay also applied a strategic rhetoric. We know that he directly addressed the representatives from "unambitious Pennsylvania ... the keystone of our federal arch," pleading, equivocating, and even threatening to raise an army to defend Missouri's right to statehood for the sake of compromise.⁶² Days later, rebutting Clay, Louis McLane of Delaware asserted that "this *was* a single arch; it is rapidly becoming a combination of arches."⁶³ Although Clay purportedly aimed to convince the

⁶⁰ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 1170.

⁶¹ *Kentucky Reporter*, March 1, 1820.

⁶² *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 1,173.

⁶³ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 1,173.

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Pennsylvania members, it is more likely that he hoped to shame them. His plea disarmed the other Northern members and drove a wedge even further between the unionists and restrictionists. He successfully convinced a bare majority to follow him in pursuing union at the expense of the restriction of slavery.

Clay spoke directly to the members of Pennsylvania in an attempt to draw out a response. The next day Pennsylvania’s John Sergeant took the bait and was tasked with matching Clay’s call to union with cold arguments to northerners who needed to maintain their position and die on the hill of restriction. Unless Sergeant could match Clay’s appeal, he would lose his already slim and wavering majority. Sergeant’s speech presented the choice of either defending union or “a great moral principle”; by choosing the latter, he pitted Pennsylvania against those to whom they ought to have been appealing. Although Sergeant deprecated Clay’s “repulsive gesture” to the Pennsylvania representatives, his indignation offended the other members who would not hold fast to their moral principle. Sergeant even argued that the corruption of the moral principle for which he fought was the true reason that a revolution would occur. Attacking McLane’s advice to avoid the enterprises of “ambitious men” he counseled, “It is not by vigorously maintaining our great moral and political principles, in their purity, that we incur the danger. If gentlemen are seriously desirous to perpetuate the blessings of that free Constitution under which we live, I would advise them to apply their exertions to the preservation of public and private virtue upon which its existence, I had almost said entirely, depends.”⁶⁴ Sergeant repeated the same argument that the members had heard before: that restriction was a great moral principle in the spirit of the Northwest Ordinance and that Congress had the constitutional authority to impose it. But the speech is most important for revealing Sergeant’s own apprehensions that his restrictionist coalition was beginning to fall apart. And he made matters worse by counseling his own allies in front of the entire chamber to maintain the purity of his moral principle.

Weakening the restrictionist coalition was not enough. To pass the Missouri Compromise, Clay resorted to the greatest series of parliamentary tricks of his career. The debates continued along the same lines throughout February. Before the House could come to any consensus, the Senate passed the Missouri Bill as a package on February 17 that included the admission of both Maine and Missouri and the Thomas Amendment restricting

⁶⁴ *Annals of Congress, House of Representatives, 16th Congress, 1st Session*, 1173.

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slavery north of the latitude 36°30' (except in the state of Missouri). But upon receiving the bill, the House voted it down. It became clear that the House would not accept the compromise in one stroke. Clay's true challenge was absolving the northerners who did not want to admit to their constituents that they had given up the great moral principle of restriction. After the bill failed in the House, Clay organized a joint committee between the House and the Senate, and he selected himself as a member. At the end of committee deliberations he made each member of the House pledge that he would vote to pass the bill. When the committee returned to the House, Clay separated the three bills that had passed the Senate but been struck down by the House. Each bill was passed individually by a slim margin on March 2, and the House sent them to the Senate. However, Clay's work was not yet done. After the vote, Randolph rose in the House and asked that the vote be reconsidered. Clay announced that it was late and that the motion would be postponed until the following day. The next day Randolph again rose to have the vote reconsidered, but Clay ruled him out of order until the routine business had concluded. Meanwhile, Clay signed the Missouri Bill and had the clerk deliver it to the Senate for a vote. When Randolph rose once more, Clay announced that the bill could not be retrieved: the vote was final, unless the members would like to take an additional vote on the propriety of revoting. However, the House declined to take any further action on Missouri after the bill left Clay's desk that morning. On March 6 President Monroe signed the bill and the Missouri Crisis was finally averted. Although Monroe put the final nail in the coffin of the crisis, it was clear to all that Henry Clay was the "great Pacificator."

COMPROMISE AS THE GREAT MORAL PRINCIPLE

Without Henry Clay's leadership in the House of Representatives, it is arguable that America may have experienced the still-birth of self-government. Regarding the Missouri Crisis, Thomas Jefferson famously claimed, "We have the wolf by the ears; and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other." In short, Jefferson fretted over America's ability to preserve itself, and he had good reason to fear the break-up the union. The traditional modes by which the republic had quelled conflict did not comport to the Missouri Crisis. It was only through the new mode of congressional

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deliberation—instituted, led, and organized by Henry Clay—that America could escape the crisis without bringing on civil war.

Legislative statesmanship was so essential in this particular episode because the legislature was the only branch that could adequately deal with slavery in the territories. And from the Missouri Crisis onward the legislature was the only branch to successfully deal with the issue. It was the only branch capable of considering a variety of different opinions, consulting a variety of different coalitions, and adequately embracing “equitability” among them. If Clay had not taught the nation to govern itself throughout the crisis, there would be no model for future crises over slavery.

At close of the session, Henry Clay made clear that he would give up the Speaker’s chair and likely decline reelection to the House. On May 15, 1820, Henry Warfield of Maryland moved that although it was customary to “delay the expression of that opinion until the termination of that period for which he was elected, yet he was induced on this occasion, to depart from that course, having distinctly understood that it was the intention of the speaker to decline the duties of the chair at the close of the present session.”⁶⁵ In his closing speech, Clay remarked that he addressed them for “probably the last time from this place” and that he would carry “into retirement... a great recollection of all your kindnesses.”⁶⁶ However, Clay’s final act as Speaker was not merely an act of thanks; he hallowed the chamber as the last best hope for deliberative self-government. He closed the first session: “I shall regard (this House) as the great depository of the most important powers of our excellent constitution; as the watchful and faithful sentinel of the freedom of the people; as the fairest and truest image of their deliberate will and wishes; and of that branch of government where, if our beloved country shall unhappily be destined to add another to the long list of melancholy examples of the loss of public liberty, we shall witness the last struggles and its expiring throes.”⁶⁷ It was a melancholy message to end the first session of the 16th Congress that had so nobly achieved compromise and averted war. Rather than simply thank the members to whom he claimed he was indebted, he set forth a challenge. Clay reminded his listeners that the American experiment may fail if the factions in the House continued to neglect the welfare of the whole for the sake of the parts.

⁶⁵ *Annals of Congress, House of Representatives, 16th Congress, 1st Session, 2250.*

⁶⁶ *Annals of Congress, House of Representatives, 16th Congress, 1st Session, 2250–51.*

⁶⁷ *Annals of Congress, House of Representatives, 16th Congress, 1st Session, 2251.*

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Although it is true, as some claim, that Clay planned to retire because of the debts he had incurred, his resignation of the speakership was not merely done out of a desire for retirement and necessity to attend to “indispensable private duties”; rather he hoped to pass the torch of self-government to the House over which he presided with the memory of Missouri fresh in their minds. Like Madison, Clay understood that “enlightened statesmen would not always be at the helm”: if the American experiment were to endure then the people would need to learn to moderate themselves rather than have moderation imposed upon them. Although Clay was happy to quell the threats of disunion and avert the Missouri Crisis, he understood that if the nation were to learn to self-govern, he must give up the helm. He hoped that in giving up the speakership he would give the members of the House the opportunity to reconcile the strife that had arisen throughout the Missouri Crisis.

Clay’s leadership provides an important example of enlightened statesmanship in times of crisis and charts a course for the enlightened statesman in Congress in times of weak presidential power and a fractured party system. His role in the Missouri Compromise demonstrates the importance of the virtue of prudence and the means by which the moderate statesman may order impassioned coalitions on divisive partisan issues.