

John C. Calhoun Vindicated

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INTRODUCTION

One hundred and forty years ago, Senator Henry Clay proposed a constitutional amendment to limit the veto power of the president of the United States. Senator John C. Calhoun replied to Clay; and that speech in reply is the most succinct version of Calhoun's famous doctrine of concurrent majorities. Calhoun argued, in effect, that there ought to exist several powers of veto upon the impulses of temporary numerical majorities.

“As the Government approaches nearer and nearer to the one absolute and single power, the will of the greater number, its action will become more and more disturbed and irregular; faction, corruption and anarchy, will more and more abound; patriotism will daily decay, and affection and reverence for the Government grow weaker and weaker until the final shock occurs, when the system will rush to ruin; and the sword take the place of law and Constitution.” So Calhoun said in 1842.

The will of the greater number or, at least, the will of the Washington lobbies that claim to represent the greater number—generally prevails in American politics during these closing decades of the twentieth century. In our time, Chief Justice Warren and his colleagues, in their infinite wisdom reduced all political representation to a mathematical Benthamite basis, what John Randolph called King Numbers. What Calhoun described as “the numerical, or absolute majority” has triumphed altogether over the “concurrent majority” that he advocated.

During the same period the American Republic has ceased to be a nation of states. Deliberate centralization of power has reduced the states to a condition little better than that of provinces in an empire. Even squabbles between children and schoolteachers are gravely accepted for trial in federal district courts. The rising generation in this country is unaware that most of the centralization did not occur until the administration of President Lyndon John-son.

During the latter half of the twentieth century, increasingly the federal government has divided the American people into two fiscal classes: those who pay the taxes and those who receive personal benefits from federal expenditures. This scheme of “transfer payments” will be egalitarian tyranny, Calhoun declared. The system already is deeply rooted.

Those are only three of the more important alterations in the Constitution of the United States, which had no stronger adherent—even in 1832—than Calhoun. These changes have been effected, chiefly in the past half century, without either formal amendment of the Constitution or conscious popular assent. Calhoun foresaw their coming. The unhappy consequences of these alterations are not yet fully felt. They will be.

We still live surrounded by souvenirs of Calhoun’s era. Quite as some streets of Columbia and Charleston and surviving country houses in the neighborhood of Fort Hill are memorials of a more spirited time, so the bones of the Constitution still may be inspect-ed. That something of our past remains quick—why, that is the achievement, in considerable part, of Calhoun and his school.

The frame of the society defended by Calhoun has been shattered nevertheless. After the elapse of another fourteen decades, will anything of the old order, political or moral, endure recognizably? Will the political and social alterations have grown so monstrous that the colossus called the United States will have become incapable even of self-defense?

One is tempted to concur with Chesterton’s Eastern sages who “know all evil things” and are resigned to ruin:

*“The Wise men know what wicked things
Are written on the sky,
They trim sad lamps, they touch sad strings.
Hearing the heavy purple wings,
Where the forgotten seraph kings
Still plot how God shall die.”*

Yet the example of Calhoun’s fortitude heartens some of us to rally round the permanent things. As Burke reminded the rising generation in his time, what had seemed like ineluctable destiny for a people might be altered abruptly by a girl at the door of an inn, or by a common soldier. It is even conceivable, such is the mystery of providence, that the politics of John Caldwell Calhoun might fructify in the twenty-first century.

I wrote my reflection on Calhoun, published as a half-chapter in *The Conservative Mind*, just thirty years ago. On re-reading those pages, in the sixth edition of my book, I find that Calhoun seems to me more prescient now even than he did then. The kind of society to which Calhoun gave his allegiance has lost much ground during the past three decades. That is one reason why Calhoun's phrases tell so keenly in the 'Eighties — and why the successive volumes of the first full edition of this writing, coming from the University of South Carolina Press, obtain some serious readers.

In his own time, Calhoun was best understood by a Yankee of Yankees, Orestes Brownson. Those two shared the conviction that though a man may sacrifice himself for the people, he must never sacrifice himself to the people. That high principle, along with much else, is our legacy from Calhoun. In one aspect Calhoun was the voice of what Henry Adams called "the sable genius of the South." In another aspect, Calhoun was the best exponent of that idea of political order which underlies both the written constitution and the unwritten constitution of the American Republic.

These lines are written in the teeth of a Michigan snowstorm at Piety Hill, your servant's counterpart of Fort Hill. Fourteen volumes of Calhoun's Papers confront me from my library shelves. They do not seem incongruous in this northern fastness. It would not be incongruous for us all to pay close attention to Calhoun during the Bicentenary of the Constitution of the United States.

JOHN C. CALHOUN—CONSERVATIVE

That zeal which flared like Greek fire in Randolph burned in Calhoun, too; but it was contained in the Cast-Iron Man as in a furnace, and Calhoun's passion glowed out only through his eyes. No man was more stately, more reserved, more regularly governed by an inflexible will. Calvinism molded John C. Calhoun's character as it shaped his speeches and books; for though the dogma proper was dying in him as it had decayed in the Adamses—so that Calhoun, like John Adams, squinted toward Unitarianism—still there remained that relentless acceptance of logic, that rigid morality, that servitude to duty; and these things made the man constant in purpose, prodigious in energy.

Unlike Randolph—who possessed, along with his ancient lineage, the richest library in Virginia—all his life Calhoun was a man of few books, relying upon independent meditation. Although many degrees removed from Lincoln's "short and simple annals of the poor," the Calhouns were tough upcountry Carolinians, tried and purged in the Indian terrors of the border, belligerent champions of frontier democracy. Where the boy Randolph read the English novelists and dramatists and Quixote and Gil Bias, the young Calhoun memorized passages from *The Rights of Man*. It was experience of the world,

running contrary to his early discipline, that made of him a conservative. At Yale, when a student, he dared to confute the mighty Federalist professor Timothy Dwight; and he entered politics as a Jeffersonian, a nationalist and expansionist, an advocate of internal improvements, and a War Hawk. From the beginning he set his sights high; presently the presidency of the United States became his target. But one moving conviction, which in Calhoun overruled all his other ideas and even mastered his burning ambition, intervened to convert him into the most resolute enemy of national consolidation and of omniscient democratic majorities: his devotion to freedom. This principle ruined him as a politician. As a man of thought and force in history he was transfigured by it.

“If there be a political proposition universally true,” Calhoun said, “one which springs directly from the nature of man, and is independent of circumstances,—it is, that irresponsible power is inconsistent with liberty, and must corrupt those who exercise it. On this great principle our political system rests.” Calhoun loved the Constitution of the United States; in him was nothing of Randolph’s suspicion of the federal organization from its very inception, “the butterfly with poison under its wings.” Because he loved it, he brought it close to destruction in 1832. Because he loved it, he proposed that it be altered—or strengthened—to protect the rights of sectional minorities. Otherwise, said Calhoun, civil war would shake the nation to its foundations; and whatever the outcome of that war, the United States could never again be the same people under the same laws. He was a prophet wholly accurate.

To enter the labyrinth of dead politics and disappointed hopes within which Calhoun’s first dozen years as a national politician were encompassed is not to our present purpose. Those were the years when Calhoun listened to Randolph’s sarcastic passion, first with stiff antagonism, presently with drawing conviction; then the tariff of 1824 opened like a great crack in the earth before Calhoun, and he knew that in his early years he had sadly misunderstood the nature of politics and tendency of the nation. He had believed the Republic to be guided* by a benevolent popular reason; and now it was manifest that if reason operated in the enactment of the new tariff, it was a malignant reason, calculated to plunder the people of one section in order to benefit a class of persons in another section of the country. Calhoun was no narrow particularist; he had shared the nationalistic ambitions of 1812; but here he discovered a shameless imposition, a contempt for the right of the South so long as legislation benefited the constituents of a congressional majority. Calhoun had believed the Constitution a secure safeguard against oppression by section or class; and now it seemed that, given selfish interest sufficiently powerful, majorities would warp the Constitution to suit their ends. Calhoun had thought that an appeal to the popular sense of right could redress occasional legislative injustice; and now it could hardly be denied that Congressmen who voted for the tariff of 1824 merely were gratifying the avarice of the people they represented.

A mind like Calhoun's works solemnly and ponderously. He did not at once go over to Randolph and defiance; but with the passage of the years, Calhoun moved unflinchingly toward a repudiation of optimism, egalitarianism, meliorism and Jeffersonian democracy. Presently he had gone beyond Randolph. Calhoun passionately desired popularity and office, but he did not value these things above his conscience; therefore he surrendered his national reputation in order to protect his state, his section, his order and the traditions of American rural society. "Democracy, as I understand and accept it, requires me to sacrifice myself *for* the masses, not *to* them. Who knows not that if you would save the people, you must often oppose them?" And Calhoun thought he might be able to save something else besides: the Union. That he failed in every one of these hopes is undeniable. But he did succeed in endowing a dumb and bewildered Southern conservatism with political philosophy; and he described unequivocally the forbidding problem of the rights of individuals and groups menaced by the will of overbearing majorities.

"Stripped of all its covering," Calhoun declared in his terse and inexorable way, "the naked question is, whether ours is a federal or a consolidated government; a constitutional or absolute one; a government resting ultimately on the solid basis of sovereignty of the States or on the unrestrained will of a majority; a form of government, as in all other unlimitedness, in which injustice, and violence, and force must finally prevail." He was not speaking of South Carolina alone, nor even merely of the Southern states, Calhoun said: once the absolute power of majorities to do as they like with minorities is accepted, the liberties of no section or class are safe. Having reduced South Carolina to submission, the interests which passed the Tariff of Abominations and the Force Act would proceed to other conquests. He predicted a similar exploitation of industrial workers in the Northern cities: "After we are exhausted, the contest will be between the capitalists and the operatives; for into these two classes it must, ultimately, divide society. The issue of the struggle here must be the same as it has been in Europe. Under the operation of the system, wages must sink more rapidly than the prices of the necessaries of life, till the portion of the products of their labor left to them, will be barely sufficient to preserve existence. For the present, the pressure is on our section." These words were written in 1828, two decades before the promulgation of the Communist Manifesto; and they were written by the conservative planter of Fort Hill, who warned the old agricultural interest and the new industrial interest and the yet inchoate masses of industrial labor that when law is employed to oppress any class or section, the end of constitutions and the substitution of ruthless power is at hand. In this fashion the industrial conservatism of Alexander Hamilton, the great Northern manufacturing interest, was invited by the agricultural conservatism of John C. Calhoun to peer into the future.

Groping for a practical remedy, Calhoun turned to Nullification, derived from Jefferson's old Virginia and Kentucky Resolutions: a State might set at defiance any act of Congress

clearly unconstitutional, refuse to allow that measure to operate within her boundaries, and appeal to the other states for aid and comfort, so that the unscrupulous majority which had enacted oppressive legislation might behold the power of laws and be compelled to withdraw their claims. Nullification, obviously, was a doctrine full of perils to national existence, and John Randolph told his constituents, “Nullification is nonsense” — a State could not at once be out of the Union and in the Union. President Jackson’s intrepid temper had brought matters nearly to a test of force, in which South Carolina would have been crushed, when Henry Clay’s compromise (reluctantly endorsed by Calhoun) ignored the principles at stake and for some years glossed over the tremendous problem by reducing the tariff.

Calhoun knew he had failed; and for the eighteen years of life that remained to him, he sought painfully for some means of reconciling majority claims with minority rights, under the rule of law. Nullification had succeeded just this far, that it proved power can be opposed successfully only by power. Yet the essence of civilized government is reliance not upon power, but upon consent. Can the rights of minorities be adjusted to this grand principle of consent? If not, government is an imposition. For, said Calhoun, governments at heart are designed chiefly to protect minorities — numerical minorities, or economic or sectional or religious or political. Preponderant majorities need no protection, and in a rude way can exist without proper government: they have naked force to maintain themselves. The authors of the Constitution had recognized that government is the shelter of minorities, and had done their best to afford protection by strict limitation of federal powers and the added guarantee of a bill of rights. These had not sufficed:

We have acted, with some exceptions, as if the General Government had the right to interpret its own powers, without limitation or check; and though many circumstances have favored us, and greatly impeded the natural progress of events, under such an operation of the system, yet we already see, in whatever direction we turn our eyes, the growing symptoms of disorder and decay—the growth of faction, cupidity, and corruption; and the decay of patriotism, integrity, and disinterestedness. In the midst of youth, we see the flushed cheek, and the short and feverish breath, that mark the approach of the fatal hour; and come it will, unless there be a speedy and radical change—a return to the great conservative principles which brought the Republican party into authority, but which, with the possession of power and prosperity, it has long ceased to remember. “Conservative principles” — here Calhoun, so early as 1832, had begun to discern a necessity greater than “liberalism” and “progress” and “equality.” These conservative principles, if efficacious, must be radical—they must go to the root of things; but their aim is to conserve freedom and order and the quiet old ways men love. Calhoun is talking of American “conservatism” in the year of the English Reform Bill, despite the customary dependence of America upon Britain for philosophical discoveries. One catches here a glimpse of the prescience of a solitary, powerful, melancholy mind which

has pierced through the cloud of transitory political haggling to a future of social turbulence and moral desolation.

For eighteen years, then, Calhoun probed in his sober Scotch-Irish mind these conundrums; and in the year after his death there were published two treatises which condensed his meditations into a form as forceful and as logical as Calvin's *Institutes*. The germ of his argument he had expressed cogently in a letter to William Smith, July 3, 1843: "The truth is—the Government of the uncontrolled numerical majority, *is but the absolute and despotic form of popular governments*; —just as that of the uncontrolled will of one man, or a few, is of monarchy or aristocracy; and it has, to say the least, it has as strong a tendency to oppression, and the abuse of its powers, as either of the others." How is democratic government to be made consonant with justice? *A Disquisition on Government* endeavors to provide a general answer to this question; *A Discourse on the Constitution and Government of the United States* is an application of these general principles to the exigencies of mid-nineteenth-century America.

"Whatever road one travels one comes at last upon the austere figure of Calhoun, commanding every highway of the southern mind," observes Parrington, with that picturesqueness he sometimes attains. "He subjected the philosophy of the fathers to critical analysis; pointed out wherein he conceived it to be faulty; cast aside some of its most sacred doctrines; provided another foundation for the democratic faith which he professed. And when he had finished the great work of reconstruction, the old Jeffersonianism that had satisfied the mind of Virginia was reduced to a thing of shreds and patches, acknowledged by his followers to have been mistaken philosophy, blinded by romantic idealism and led astray by French humanitarianism. Calhoun, therefore, completes the work of Randolph in demolishing Jefferson's abstract equality and liberty, which rights Jefferson had assumed to be complementary; and Calhoun, accepting Randolph's warning against the tyrannical tendencies inherent in the manipulation of positive law by callous majorities, struggles to devise an effective check upon numerical preponderance.

The old Senator from South Carolina, writing in haste because conscious of his approaching end, makes no endeavor to follow John Adams' historical method for studying effective checks upon arbitrary power. "What I propose is far more limited,—to explain on what principles government must be formed, in order to resist, by its own interior structure, or, to use a single term, *organism*,—the tendency to abuse power. This structure, or organism, is what is meant by constitution, in its strict and more usual sense." He has commenced, then, by employing a term which since has become of major significance in any discussion of the state, "organism"; and he proceeds in a tenor equally modern. He repudiates root and branch the compact theory of government, as had Burke (except for his metaphorical adaptation of the phrase) and John Adams; government is no

more a matter of our choice than is our breathing, being instead the product of necessity. No “state of nature” in which man lived independent of his fellows ever did exist, nor ever can. “His natural state is, the social and political—the one for which his Creator made him, and the only one in which he can preserve and perfect his race.”

But *constitution*, far from being the product of necessity, must be the work of refined art; and without this tender construction, the end of government must in great measure be baffled. “Constitution is the contrivance of man, while government is of Divine ordination. Man is left to perfect what the wisdom of the Infinite ordained.”

Now true constitutions are always based upon the conservative principle: they are the product of a nation’s struggles; they must spring from the bosom of the community: human sagacity is not adequate to construct them in the abstract. They are a natural growth; in a sense they are the voice of God expressed through the people; but nature and God work through historical experience, and all sound constitutions are effective embodiments of *compromise*. They reconcile the different interests or portions of the community with one another, in order to avert anarchy. “All constitutional governments, of whatever class they may be, take the sense of the community by its parts,—each through its appropriate organ; and regard the essence of all its parts as the sense of the whole. . . . And, hence, the great and broad distinction between governments is,—not that of the one, the few, or the many,—but that of the constitutional and the absolute.”

We should not judge of whether a state is governed justly and freely by the abstract equality of its citizens, therefore. The real question is whether individuals and groups are protected in their separate interests, against monarch or majority, by a constitution founded upon compromise. If (for instance) government, by unequal fiscal action, divides the community into two principal classes of those who pay the taxes, and those who receive the benefits, this is tyranny, however egalitarian in theory. And so Calhoun comes to the doctrine of concurrent majorities, his most important single contribution to political thought. A true majority (to express the concept in its simplest terms) is not a simple headcount: instead, it is a balancing and compromising of interests, in which all important elements of the population concur, feeling that their rights have been respected:

There are two different modes in which the sense of the community may be taken; one simply by the right of suffrage, unaided; the other, by the right through a proper organism. Each collects the sense of the majority. But one regards numbers only, and considers the whole community as a unit, having but one common interest throughout; and collects the sense of the greater number of the whole, as that of the community. The other, on the contrary, regards interests as well as numbers,—considering the community as made up of different and conflicting interests, as far as the action of the government is concerned; and takes the sense of each, through its majority or appropriate organ, and the

united sense of all, as the sense of the entire community. The former of these I shall call numerical, or absolute majority; and the latter, the concurrent, or constitutional majority.

Calhoun has rejected with scorn the demagogue's abstraction called "the people" No "people" exists as a body with identical, homogeneous interests; this is a fantasy of metaphysicians; in reality, there are only individuals and groups. Polling the numerical majority is an attempt to determine the sense of the people, but it is unlikely to ascertain the sense of the true majority; for the right of important groups may be altogether neglected under such arrangements. In his *Discourse on the Constitution*, Calhoun cites as an instance of this injustice the tendency of simple numerical majorities to throw all power into the grasp of an urban population, in effect disfranchising rural regions. "The relative weight of population depends as much on circumstances, as on number. The concentrated population of cities, for example, would ever have, under such a distribution, far more weight in the government, than the same number in the scattered and sparse population of the country. One hundred thousand individuals concentrated into a city two miles square, would have much more influence than the same number scattered over two hundred miles square.... To distribute power then, in proportion to population, would be, in fact, to give the control of government, in the end, to the cities; and to subject the rural and agricultural population to that description of population which usually congregate in them,—and, ultimately, to the dregs of the population."

In general, Calhoun's is a view similar to Disraeli's opinion that votes should be weighed, as well as counted; yet Calhoun proposes to weigh not merely the individual votes of particular persons, but the several wills of large groups in the nation. He proposes to take into account the differing economic elements, the geographical sections, perhaps yet other distinct interests; and they are to be protected from the encroachments of one another by a mutual negative, or rather a commonly available negative. "It is this negative power, — the power of preventing or arresting the action of the government, — be it called by what term it may, —veto, interposition, nullification, check, or balance of power, —which, in fact, forms the constitution. They are all but different names for the negative power." Perhaps such an arrangement invites the stalemate of the Polish *liberum veto*-, but Calhoun believes that common convenience will dissuade these chief interests or groups from petty interference with the conduct of affairs. Promptness of action, indeed, is diminished, but a compensating gain in moral power occurs, for harmony and unanimity and the confidence of security from oppression make such a nation great. In neither of his treatises does Calhoun attempt to outline a precise reorganization of the American government upon these principles, although he suggests that a plural executive might be one means of accomplishing the design: either member of the executive to represent a particular section and to conduct a particular portion of the executive business, such as foreign affairs or domestic matters, but the approval of both officers to be required for the ratification of acts of Congress. Calhoun states that true responsibility for accomplishing beneficial reorganization lies with the North, where the oppressive

tariff and the anti-slavery agitation commenced; the North having set this train of events in motion, the North should be prepared to draw up a solution.

Democratic institutions will be safer in a state which has adopted the principle of concurrent majorities, Calhoun proceeds to demonstrate, and under such conditions the suffrage may be extended more widely than prudence would allow otherwise, “but it cannot be so far extended in those of the numerical majority, without placing them ultimately under the control of the more ignorant and dependent portions of the community.” Where the theory of the concurrent majority prevails, the rich and the poor will not huddle in opposing camps, but will rank together under the respective banners of their sections and interests; the class struggle will be diminished by establishing a community advantage.

At this point, Calhoun enters upon a kind of digression concerning absolute liberty *vs.* real liberty. Application of the concurrent-majority principle, he says, will allow each section or region to shape its institutions according to its particular needs; a numerical majority tends to impose standardized and arbitrary patterns upon the whole nation, which is an outrage against social liberty. Two ends of government exist: to protect, and to perfect society. Historical origin, character of population, physical configuration, and a variety of other circumstances naturally distinguish one region from another. The means of protecting and perfecting these separate societies must vary accordingly. This is the doctrine of diversity, opposed to the doctrine of uniformity; Calhoun echoes Montesquieu and Burke.

Liberty and security are essential to the improvement of man, and the particular degree and regulation of liberty and security in any society should be locally determined; each people know their own needs best. “Liberty, indeed, though among the greatest of blessings, is not so great as that of protection; inasmuch, as the end of the former is the progress and improvement of the race, — while that of the latter is its preservation and perpetuation. And hence, when the two come into conflict, liberty must, and ever ought, to yield to protection; as the existence of the race is of greater moment than its improvement.” Calhoun is referring obliquely to the menace of slavery in the South, here, but with propriety he expresses himself in general terms. Some communities require a greater amount of power than others for self-protection; these local necessities would be recognized by the idea of the concurrent majority, or mutual right of veto.

Liberty *per se* presently becomes Calhoun’s topic; and he severs himself completely from Jeffersonian theory. Liberty forced on a people unfit for it is a curse, bringing anarchy. Not all people are equally entitled to liberty, which is “the noblest and highest reward for the development of our faculties, moral and intellectual.” Liberty and complete equality, far from being inseparable, are incompatible, if by pure equality is meant equality of

condition. For progress, moral and material, is derived from inequality of *condition*; and without progress, liberty decays:

Now, as individuals differ greatly from each other in intelligence, sagacity, energy, perseverance, skill, habits of industry and economy, physical power, position and opportunity,—the necessary effect of leaving all free to exert themselves to better their condition, must be a corresponding inequality between those who may possess these qualities and advantages in a high degree, and those who may be deficient in them. The only means by which this result can be prevented are, either to impose such restrictions on the exertions of those who may possess them in a high degree, as will place them on a level with those who do not; or to deprive them of the fruits of their exertions. But to impose such restrictions on them would be destructive of liberty,—while, to deprive them of the fruits of their exertions, would be to destroy the desire of bettering their condition. It is, indeed, this inequality of condition between the front and rear ranks, in the march of progress, which gives so strong an impulse to the former to maintain their position, and to the latter to press forward into their files. This gives progress its greatest impulse. To force the front rank back to the rear, or attempt to push forward the rear into line with the front, by the interposition of the government, would put an end to the impulse, and effectually arrest the march of Progress.

This is tellingly put, as neat an indictment of the social ennui latent in egalitarian collectivism as the literature of politics affords. Calhoun immediately adds, “These great and dangerous errors have their origin in the prevalent opinion that all men are born free and equal;—than which nothing can be more unfounded and false.” He means his observations to be applied particularly to Negro slavery, but one may lift them out of their transitory significance and fit them to the tenets of conservatism in our day.

Liberty and security, then, should be measured and applied upon practical and local considerations, rather than upon abstract claims of universal right. Real liberty is best secured by the concurrent majority, and thus the impetus toward progress which accompanies and nourishes liberty is healthiest under the harmony of concurrence. Yet is any arrangement of this sort possible in government? Are not great interests too diverse for concurrence, and is not agreement obtained too tardily for efficient action by the state? Calhoun believes he can answer these objections. Necessity will provide sufficient incentive. Cannot the twelve individuals who compose a jury manage to concur? Will not the necessity of mutual conciliation promote a common good feeling? Supreme among historical examples, was not this veto power an essential characteristic of the Roman Republic? Calhoun will confess the existence of no obstacle which practice and forbearance cannot surmount.

Some persons may object, says Calhoun, that a free press might accomplish all the good he expects from the principle of concurrent majority. So exalted an opinion of the

function of newspapers may seem amusing in the twentieth century, the press not having followed that line of progress which nineteenth century optimists charted for it; but Calhoun answers the suggestion soberly. His argument is a passable summary of his whole doctrine of concurrence.

What is called public opinion, instead of being the united opinion of the whole community, is, usually, nothing more than the opinion or voice of the strongest interest, or combination of interests; and, not infrequently, of a small, but energetic and active portion of the whole. Public opinion, in relation to government and its policy, is as much divided and diversified, as are the interests of the community; and the press, instead of being the organ of the whole, is usually but the organ of these various and diversified interests respectively; or, rather, of the parties growing out of them. It is used by them as the means of controlling public opinion, and of so moulding it, as to promote their peculiar interests, and to aid in carrying on the warfare of party. But as the organ and instrument of parties, in government of the numerical majority, it is as incompetent as suffrage itself, to counteract the tendency to oppression and abuse of power; —and can, no more than that, supersede the necessity of the concurrent majority.

Bold and fertile opinions, these. Calhoun's *Disquisition* is open to many of the objections that commonly apply to detailed projects for political reform. He slides quickly over formidable objections, he evades any very precise description of how the principle may be applied, and he really has small hope of any immediate practical consequence from these ideas. Yet these flaws yawn more conspicuously in the great popular reform-schemes of our era — Marxism, Fabian Socialism, distributism, syndicalism, production-planning. Calhoun is not playing Lycurgus; he is describing a philosophical principle, and it is one of the most sagacious and vigorous suggestions ever advanced by American conservatism. The concurrent majority itself; representation of citizens by section and interest, rather than by pure numbers; the insight that liberty is a product of civilization and a reward of virtue, not an abstract right; the acute distinction between moral equality and equality of condition; the linking of liberty and progress; the strong protest against domination by class or region, under the guise of numerical majority — these concepts, provocative of thought and capable of modern application, give Calhoun a place beside John Adams as one of the two most eminent American political writers. Calhoun demonstrated that conservatism can project as well as complain.

Randolph's sombre devotion descends into the violence of Beverley Tucker's *Partisan Leader*; Calhoun's exacting logic is followed by a decade of fire-eating, and then explosion. So far as preservation of the Old South was concerned, their conservatism was impotent — indeed, it hurried the Southern states along the road to the Civil War, which in five years did more to extirpate Southern society than a generation of civil domination by the North could have effected. The repressive nervousness of the South after

Nullification was no atmosphere encouraging to serious thought, and the poverty of spirit and body which, like an Old Man of the Sea, clung upon Reconstruction discouraged any respectable intellectual conservatism. Only vague cautionary impulses guided the South after 1865, combining with popular distrust of the Negro, and lack of material resources to slacken the rate of social alteration. The modern South cannot be said to obey any consciously conservative ideas — only conservative instincts, exposed to all the corruption that instinct unlit by principle encounters in a literate age. The affection for state sovereignty, the duties of a gentleman, and the traditions of society which Randolph and Calhoun extolled found their finest embodiment in General Lee; and, with Lee, these ideas yielded to superior force at Appomattox. The political representative of those principles was a man of parts less exemplary than Lee's, but still a man of high courage and dignity, Jefferson Davis. Eighty years later, progressive vulgarization of those Southern instincts put into the Mississippi senatorship that had been Davis' such a man as Theodore Bilbo.

Randolph and Calhoun left no disciples really worthy of their preceptors, nor did they save the planter-society. Those Southern fears and prejudices which Randolph's erratic brilliance sublimated into aristocratic libertarianism, and which Calhoun's precise wisdom compressed into a legal brief, broke free from the slender tether by which these two lonely minds had controlled their fierce energy. The force of Southern popular enthusiasm was smashed by the younger violence of Northern industrialism and nationalism; long thereafter, the Southern people groped dazed through the dark wood of the modern world, unhappily envious of a mechanized age which was not meant for such as they.

The great majority of Southern people, indeed, never apprehended much more of the doctrines of Randolph and Calhoun than their apology for slavery and its defense through state powers. The more subtle and enduring details of the conservatism for which these statesmen spoke were lost upon the common Southern mind—their distrust of popular fancies, their anxiety for continuity of institutions, their devotion to an ennobling liberty. Within the South itself, the levelling and innovating urge that everywhere dominated American life was at work remorselessly all the while Southern orators paid lip-service to the Virginian orator and the Carolinian prophet. A series of state constitution conventions—Virginia's in 1829-1830 only the first—swept away those protections for property, those delicate balances of power, and those advantages of compromise which Randolph and Calhoun praised; the new constitutions expressed the triumph of doctrinaire alteration. North Carolina in 1835, Maryland in 1836, Georgia in 1839; a second wave in the 'fifties, with change coming to Maryland in 1850-51, for a second time to Virginia in 1850, and, in the form of constitutional amendments, a large alteration of the Georgia constitution still farther during those years—these popular victories brought greater equality of abstract political right, but hardly greater freedom. Popular demands for equality and simplicity met with no effective opposition in the new Southern

states—Alabama, Mississippi, Louisiana, Tennessee, Kentucky, Florida. Thus the way was cleared for the radical constitutions of Reconstruction days, the subsequent disgrace and reaction, and the permanently blighted character of Southern political life.

Democratization and simplification of government were not peculiar to the South, of course, being only the local manifestation of a national tendency; Chancellor Kent, in New York, spoke against it as bitterly as did Randolph in Virginia. The Southern planter-aristocracy could no more withstand this tide of feeling than could, in the North, the Federalists and their heirs the Whigs. Better than anyone else, Tocqueville analyzes this American enthusiasm for constitutional alteration and social levelling. It was the expansive impulse of a people whose links with traditional society were nearly severed and among whom the wide distribution of new land diminished reverence for magistrates and establishments; Rousseau and Paine and even Jefferson did no more than furnish the tinsel with which this buoyant social impulse was trimmed. In America most of all, during the universal flux of the nineteenth century, things were in the saddle. Randolph and Calhoun could forge the South into a section, could rally Southerners to a defense of their own economic interests, could impress upon the popular imagination the menace of centralization to the Peculiar Institution; but their talents were insufficient to reinvigorate deeper conservative ideas even in a region so much inclined toward old ways as were the Southern states. They did not much impede the advance of those impulses toward consolidation, secularization, 'industrialism, and levelling which were everywhere the characteristics of nineteenth-century social innovation.

Randolph and Calhoun both discerned with a good deal of acuity the nature of the threat to tradition, but they could oppose to these revolutionary energies hardly more than their vaticinations and their ability to rouse a rough and confused spirit of particularism among the mass of Southerners. This was not enough. Despite its faults of head and heart, the South—alone among the civilized communities of the nineteenth century—had hardihood sufficient for an appeal to arms against the iron new order which, a vague instinct whispered to Southerners, was inimical to the sort of humanity they knew. Grant and Sherman ground their valor into powder, Emancipation and Reconstruction demolished the loose structures of their old society, economic subjugation crushed them into the productive machine of modern times. No political philosophy has had a briefer span of triumph than that accorded to Randolph's and Calhoun's.

Yet they deserve to be remembered, these devoted Southern leaders — Randolph for the quality of his imagination, Calhoun for the sternness of his logic. They illustrate the truth that conservatism is something deeper than mere defense of shares and dividends, something nobler than mere dread of what is new; their arguments, and even their failure, reveal how intricately linked are economic change, state policy, and the fragile tissue of social tranquility. Perhaps Randolph and Calhoun and other Southern statesmen did not

employ to the full that transcendent conservative virtue of prudence which Burke so often commends. But their provocation was severe; and the echo of the fight which a doomed Southern conservatism waged in the name of prescriptive rights has not yet died in the enormous smoky cavern of modern American life.

About Russell Kirk

Russell Kirk (1918-1994) was an American political theorist, moralist, historian, social critic, literary critic, and fiction author known for his influence on 20th century American conservatism.