

PARTY CONFLICT AND THE SECESSIONIST ALTERNATIVE:
THE VIRGINIA HOUSE OF DELEGATES AS A TEST CASE,
1855 - 1861

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Beginning with the premise that the Civil War was a sectional conflict, historians traditionally have looked to intersectional tension as the ultimate cause of secession and war. North and South represented two rapidly polarizing cultures, the theory holds, each picturing the other as the source of economic, social, and political heresy. The inevitable emergence of the slavery issue as the focal point of the conflict snapped the unraveling bands of a weak and artificial political system and left sectional extremist parties – Republicans and secessionist Democrats – alone in the field. In *The Political Crisis of the 1850s*, Michael F. Holt reverses the argument and asserts that the answer to secession and war “is to be found in the reasons why the American political system could no longer contain the sectional conflict, not in the conflict itself.” Professor Holt’s general thesis is that a strongly competitive political structure prevented resort to the nonpolitical extreme of secession until the parties failed to provide clear alternatives on substantive issues. This argument rests on three major premises: first, that politicians and voters put party loyalty ahead of sectional ties; second, that the presence of opposition parties within the states tended to moderate extremist positions; third, and most importantly, that voter faith in the political process depended on an option between identifiable party alternatives. The collapse of the competitive party framework, Holt asserts, both “aggravated and reflected a loss of popular faith” in the ability of the normal political process to redress grievances. The remaining alternative was extremism.¹

Yet southerners responded to extremism in different ways. The lower South seceded in the wake of Lincoln’s election, but the states of the upper South remained until Sumter. The traditional view has been unable to explain this difference. If a section-wide fear of the Republican threat to slavery and republican ideals were the rationale for secession, all the southern states should have exited at once. That they did not reveals a major weakness of the traditional view, and a potential strength of the Holt thesis. What differentiated the upper and lower South, Holt suggests, was not the degree of fear of the Republican threat, but the degree of confidence in preventing Republican interference.

Here is where the different political experiences of the two regions had their greatest impact. Voters in the upper South had much greater confidence that republicanism could be secured through the normal political process than voters in the lower South, who accepted instead the secessionists' message that drastic action alone could achieve the same goal.

Politicians in the upper South succeeded in identifying the opposition party with antirepublicanism, while the Democrats of the lower South had to look elsewhere: "Crudely put, by 1860 the Republican Party had become the chief symbol of antirepublicanism in the Deep South, while politicians in the Upper South still found dragons to slay at home."²

The disparate response to the Republican threat thus depended on the existence of a competitive party system. There is persuasive evidence in support of this explanation, including data which show that competition for Presidential and statewide contests was much higher in the upper South states. Because interparty competition in the upper South was strong, the contenders for office could offer clear alternatives. Yet Holt recognizes that such data may misrepresent the actual nature of the party systems, since "what really determined the public's sense of efficacy in the political system was the degree of interparty conflict at the state level and the substantive or insubstantive nature of state-level politics." He shows that competition was greater in upper South states in statewide contests but suggests that the best test would be analyses of interparty competition in the state legislatures during the period, since the state governments were closest to popular concerns.³

The purpose of this study is to test the Holt thesis as applied to interparty competition in the Virginia House of Delegates during the period 1855-61, in order to determine whether the differing responses of upper and lower South states may be explained in terms of a competitive party framework that guaranteed faith in the political system. While Holt has provided an explanation potentially more helpful than that of the traditional view, the results of this analysis call into serious question Holt's assertion that party competition was responsible for minimizing the secessionist appeal. Virginia was the largest of the upper South states, with a long tradition of political leadership, yet the data show a level of party competition more characteristic of the lower South — they show a system whose parties, far from offering clear-cut policy alternatives, were heading steadily down the road to consensus by 1855.

I.

Until the advent of the fourteenth amendment, the state legislature was the most powerful political institution in the federal system, and it was the policy-making body closest to the people. The few federal constitutional limitations on legislative power resided in articles one and four of the Constitution,

and the handful of familiar cases concerning the commerce and contract clauses. In Virginia, the state constitution not only contained comparatively few restrictions, but empowered the legislature to regulate the emancipation of slaves, to pass an income or license tax, to direct the sale of stock in internal improvements corporations, and to regulate fully the manner of elections.⁴

The Virginia House of Delegates considered a series of topics of local and state concern including internal improvements, finance, slavery, debt relief, schools and colleges, municipal law, militia service, and reform of prisons and mental institutions. Its proceedings and acts were reported daily by the major party organs, the *Richmond Enquirer* (Democrat), and the *Richmond Whig*. Elections to the House were reported fully with results given in box-score form by county, complete with gains and losses, and election eve phillipics to the faithful. In short, given its legal power and political prominence, the legislature was the foremost political forum of the period. We would expect the desires of the electorate to have been reflected there, if anywhere in the federal system.⁵

I have analyzed interparty competition in the House by legislative roll-call analysis of the sessions of 1855, 1857, 1859, and the special session of 1861, using the years 1846 and 1848 as a comparative standard, chosen as presumably representative of a period in which the Second Party System functioned. All data were compiled from the various House journals. In order to find the relative interparty competition and intraparty cohesion of the parties on issues representative of the policy concerns of the period, I have used two familiar tools of analysis: the index of party disagreement (IPD), and the Rice index of cohesion (RIC).⁶ Using these measurements in particular cases, we can not only compare the indexes between cases in a given year, but more importantly we can study the change in competition over time on a given set of issues.⁷

The Holt thesis suggests that a working set of party alternatives was the factor most responsible for the delay in the secession of the upper South and that the lack of such a system explains the immediate secession of the Gulf states. Accordingly, we would expect one of two general patterns of competition to appear in the Virginia House. First, a consistently high level of interparty competition would show the continuing presence of substantive policy alternatives on issues that concerned the electorate. This would reveal definable party differences and, by implication, would suggest the faith of the electorate in existing political channels. Second, we might expect a dip in the competitive level upon the disintegration of the Know-Nothing boom in 1856-57 but a resurgence of interest in the older system toward the end of the decade. In other words, with the disappearance of the American Party, electoral faith could have been restored by a return to the older Whig principles.⁸

Much of the preliminary evidence of party competition during the period, including both quantitative data and partisan newspaper reports suggests the accuracy of the new interpretation. The papers' calls to the polls on election eve, editorials on policy concerns, and shrill denunciations of the opposition particu-

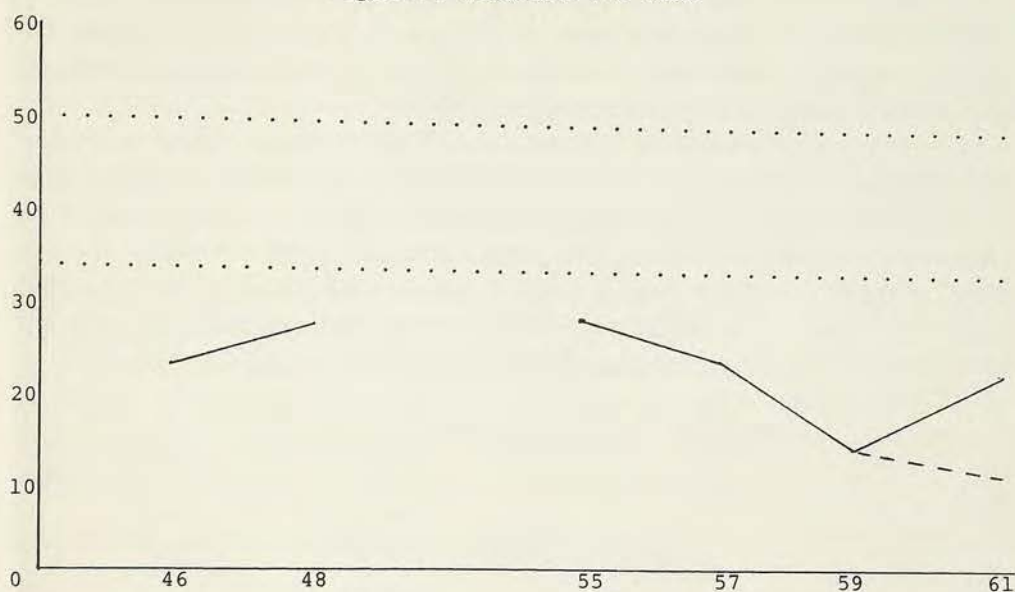
larly reveal an identification of the opposing party with the most dire threats to the Republic. We would therefore expect Virginia's legislative political competition to look more like that of Kentucky than Georgia or Alabama: a reflection of electorate demands for a viable party system.

II.

Such political vitality required national and state parties to formulate clear and conflicting positions across a broad range of public policy issues, and, as Rush Welter has argued, Democrats and Whigs were largely successful in doing so. Democrats opposed concentrations of political and economic power as signs of special privilege and barriers to individual mobility. Their equal rights ideology supported an economy of principle rather than consequence and an inactive, negative state. Democrats accordingly opposed special charters for banks and corporations, state-aided internal improvements, and protective tariffs. Whigs, in contrast, favored an economy of consequence where the accumulated property and power of a few could, by creating new capital, improve the condition of all. Consequently, Whigs favored an active, positive state and supported charters to private banks and business corporations, state aid to internal improvements, and a high protective tariff. Recent behavioral studies have supported Welter's ideological evidence and shown that the parties tended to vote as they spoke, remaining extremely competitive in state legislatures.⁹

The political system described by roll call data for the Virginia House of Delegates, however, is very different from that predicted by the Holt thesis and suggested by Welter. Instead of high levels of party disagreement, the data show a strong trend toward political consensus on public policy issues, with Democrats approaching Whiggish economic positions. In general, the analysis reveals a low mean IPD for each year across the period studied. The IPD was never above 29 for a given year, including the standards of 1846 and 1848, and the mean IPD for the critical years 1855-61 was 22. Cohesion figures show that Whigs were consistently more united than Democrats; for the critical years the figures were 46 and 29 respectively. Neither group rises to the level of solid party unity. Figure 1 illustrates the IPD results graphically.

Figure 1: Mean IPD Per Year



Mean IPD: ———

1861 state issues only: - - - - -

Significant levels of competition:

This graph represents only the findings at the most general level, but it brings immediately into question the vitality of the Second Party System in Virginia. The result for 1861, in fact, is due in large part to the high reading for national resolutions (discussed below); without that figure, the trend on state issues alone is even lower, as shown above. The graph illustrates a low level of competition which continued to fall through the period — a trend toward consensus. This initial picture requires detail.

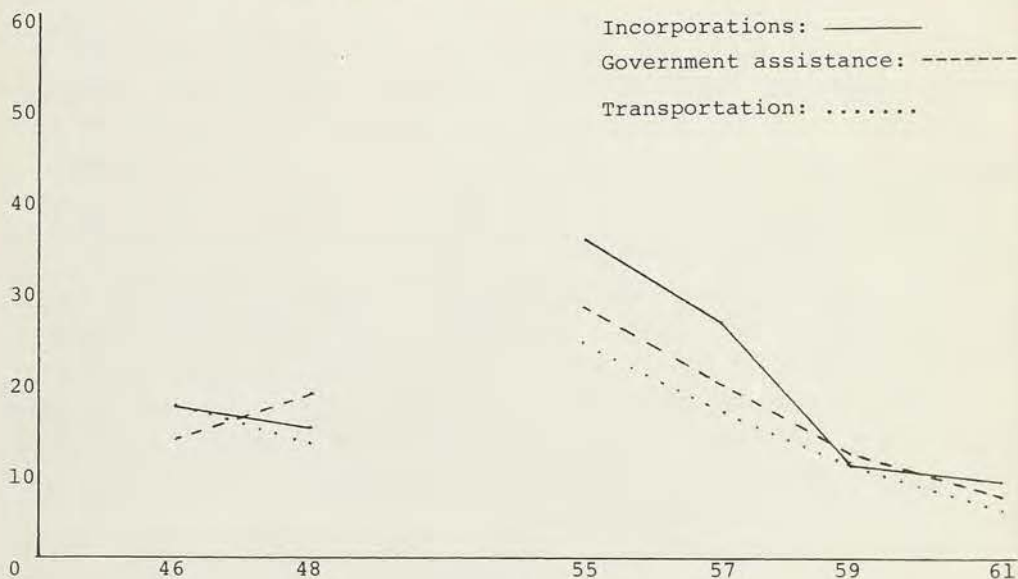
Internal improvements issues consisted of three policy questions. Transportation measures included extensions of railroad and turnpike lines, the building of bridges and canals, and new routes for all three. Corporate charters were granted for the transportation companies, and were occasionally amended to allow increases in capital or changes in regulations. Government assistance acts included stock purchases on behalf of the state, special exemptions for transportation companies, and cases of unusual relief.¹⁰

One of the cardinal principles of the Democratic party was that “the good society was one in which every man was left alone to exploit his economic opportunities as best he could.” Corporations represented a dual limitation on that principle; their charters were sovereign acts creating privileges, and thus limited both political and economic equality. Rush Welter has noted that for the Democrats, corporate existence “demonstrated the dangers rather than the promise of government activity.” Ershkowitz and Shade’s study of state legislatures in the Jacksonian era shows that in the field of transportation companies,

Virginia Democrats were less contentious, generally favoring internal improvements measures. Party conflict was accordingly low during the period. For 1838-39, transportation issues carried an IPD of 9 and 17 respectively; for 1833-34 such incorporations reached 12 and 39.¹¹

The radical separation of government and the economy called for in general Democratic ideology was never part of Virginia politics: Brief reference to the substance of corporate measures, for example, shows that the theory of the active state was congenial to the Democrats. For the period 1855-61, 24 of 32 proposed corporate charters passed the House, as did 23 of 26 bills granting special privileges to corporations in the form of allowing increases in stock, consolidations, and other financial moves.¹² The IPD parallels this pattern.

Figure 2: IPD for Internal Improvements



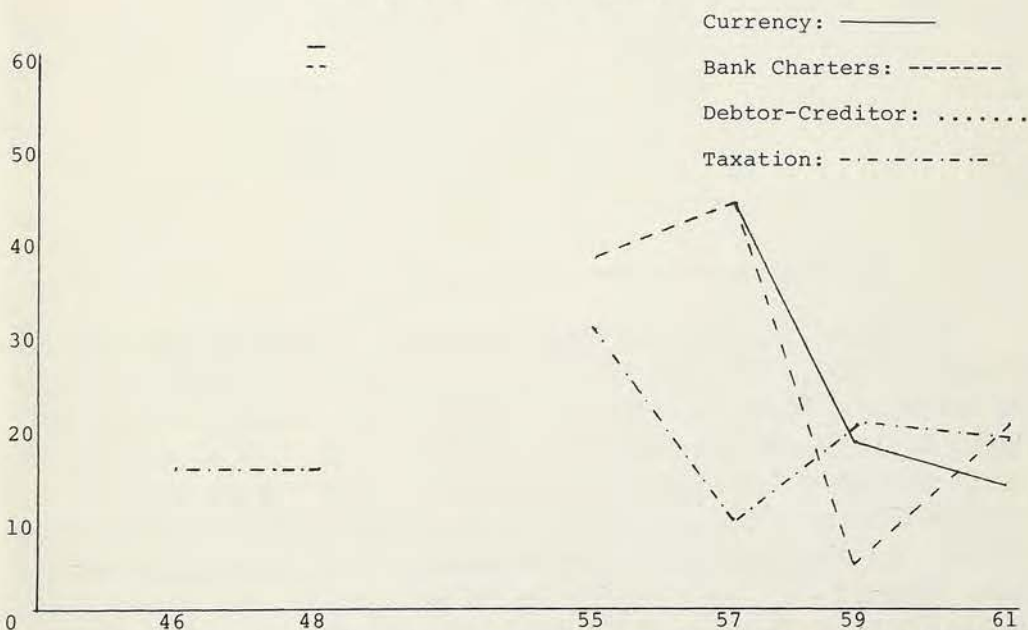
These IPD figures show a spirit of consensus through the pre-war period that is unrepresentative of the party ideology that historians generally describe. The Whig RIC remained quite high: the median for government assistance, incorporation, and transportation measures was 49, 52, and 42 respectively. The corresponding Democratic levels were 23, 33, and 24. In part because of the Democratic split over internal improvements, these issues aroused the least inter-party conflict of any group studied.

Finance measure took four general forms. Bank charter issues included original charters, requests for amendments, and requests for relief or exemptions. Currency measures included acts to change the size of demonstrations, or to grant permission to issue banknotes. Debtor-creditor legislation embraced both exemptions from judicial levy and interest rate changes, and taxation issues dealt with both definition of the tax base and the rate to be applied.

If Democrats usually opposed state banking issues, then Thomas Hart Benton's 1837 peroration against "the unknown divan of bankers" had been forgotten by Virginia Democrats by the 1850's. Reference to the substance of bank charter bills shows that all nine proposed charter grants brought between 1855 and 1861 passed. In addition, the only two relief measures achieving roll-call status passed. By contrast, Ershkowitz and Shade show that in the Jacksonian era, party competition in Virginia over these issues was substantial. For bank charters in 1839 and 1841 they report an IPD of 70 and 61 respectively. Similarly, currency questions rates 100 and 62 during those years. The IPD for debtor relief and reform was 1 for 1833-43.¹³

During the late fifties, competition on banking and currency issues still ranked as the highest studied, yet the level was much lower than that of the earlier period and showed a marked downward trend. Debtor legislation remained at a low level of conflict, as did taxation questions.

Figure 3: IPD for Finance

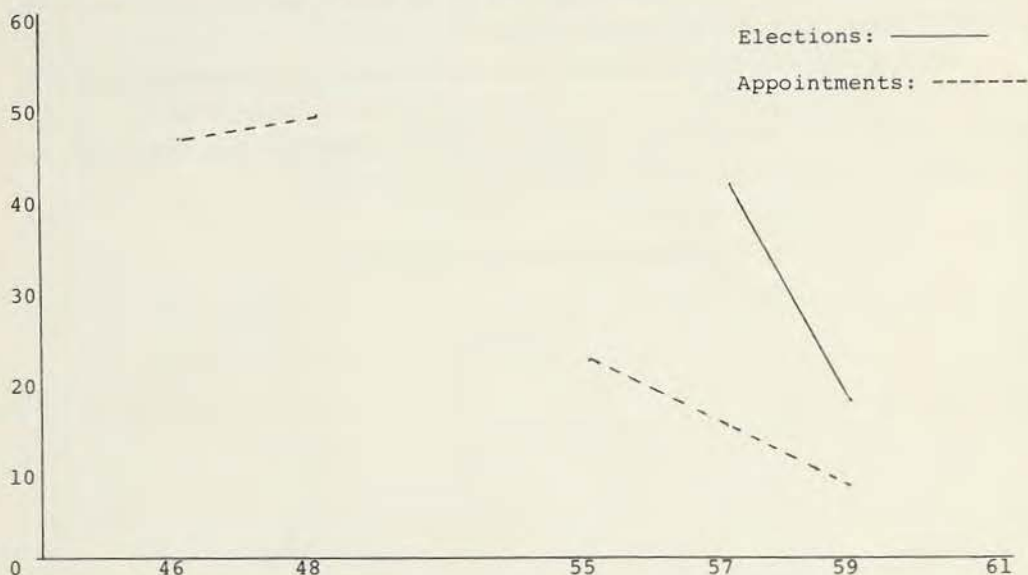


The data show that the originally high level of party conflict had shifted to a high level of consensus on the banking and currency questions by the end of the period. By comparison, the IPD on banking questions in Kentucky for 1854, 1858, and 1860 were 31, 52, and 48.7 respectively; in Georgia for 1858-59 the IPD was 25.7 – still higher than Virginia during those years. In this sphere of traditionally high party conflict, Virginia closely resembles lower South states.¹⁴

Issues presumably close to the hearts of political parties included patronage and election questions. In Virginia the former took the form of appointments to the Speakership of the House, the United States Senate, various honorary and lucrative House positions, and in 1846 and 1848, the Governorship of

the state. The latter included both election regulations and contested seats. The nature of the questions would suggest high levels of conflict; for example, although Peter Levine's legislative study concerned New Jersey, he found for 1843-44 an IPD of 94 on appointments and an IPD of 79 and 99 on election laws and contests respectively. Virginia party conflict was much lower in these areas, and appointments were closer to consensus.¹⁵

Figure 4: IPD on 'Political' Issues



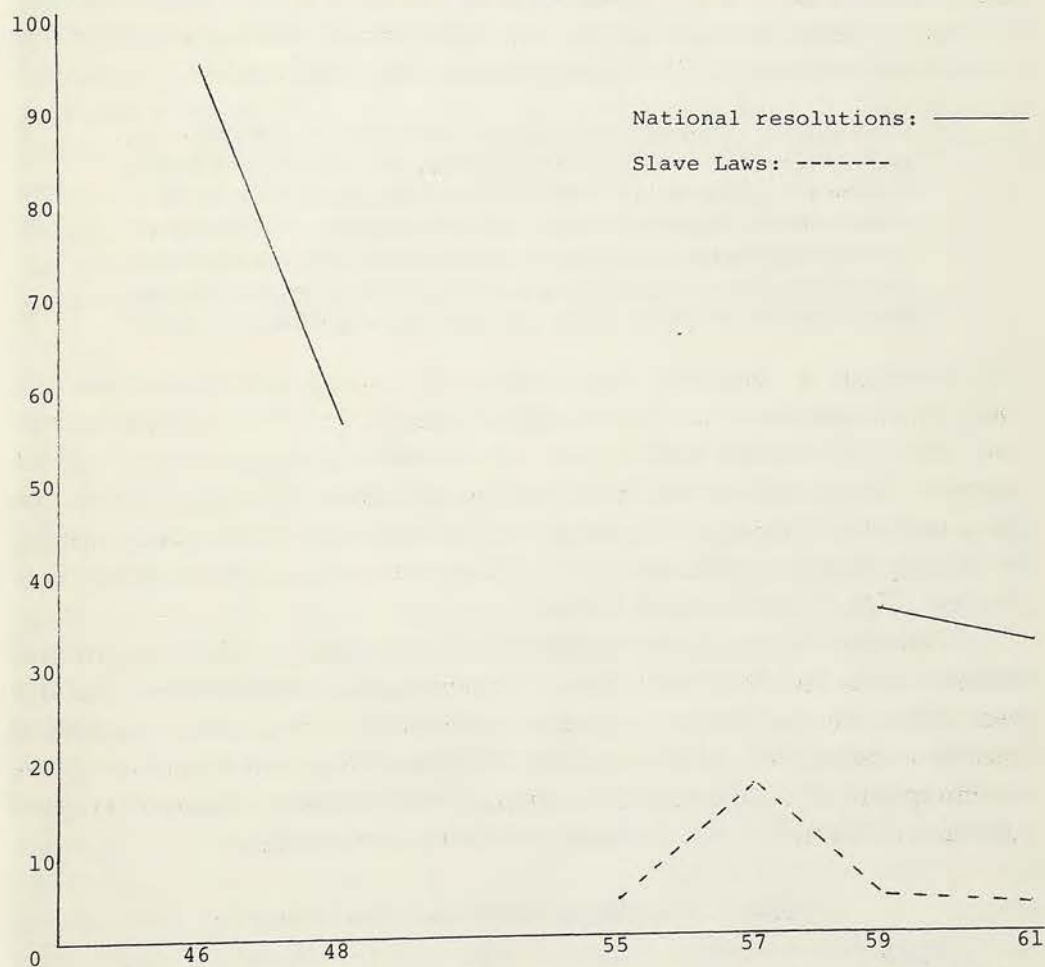
Throughout the period the Whigs acquiesced in Democratic Speakers; for example, in 1855, 1857, and 1859, the election of O.M. Crutchfield to the chair was unanimous. Whigs also generally agreed to the election of Robert M.T. Hunter to the Senate. The mean IPD in elections for the critical years was 33, one of the highest levels found, yet the trend is clearly toward consensus: by 1859 the IPD was 18. Cohesion levels were also among the highest for the period 1855-61: the Whig mean was 56, the Democratic, 45. By contrast, appointment issues remained very low: the IPD for 1855-61 was 16, the second lowest studied. Cohesion levels paralleled this finding; the Whigs rate 37, the Democrats 35.¹⁶

While comparing Jacksonian New Jersey and prewar Virginia is risky, there is a lesson to be drawn. Party competition was much more intense and consistent in New Jersey than Virginia. Even the IPD of 33 in elections must be put in perspective in that it represents an index of likeness of 67. Virginia figures more closely resemble those in New Jersey prior to the advent of the Second Party System.¹⁷

National resolutions and slavery issues revealed great disparity in their capacity to arouse party differences, yet their juxtaposition is particularly rele-

vant to Virginia politics. The data show high conflict on national issues involving the existence of slavery as an institution, yet no conflict on state questions concerning the mechanics of its daily operation. Strictly speaking, of course, the final votes taken by the legislature on such issues as the Wilmot Proviso, the Memminger visit, and the conventions of 1861, were unanimous. But party conflict over the substance of the measures often preceded the final votes. In the national resolution area, Levine's index of difference for 1838 to 1844 is 93, a figure analogous to that of Virginia in 1846. Yet again the trend was toward substantial party agreement.

Figure 5: IPD for National Resolutions and Slave Laws¹⁸



The trend in national resolutions was markedly away from party conflict. The mean figure for the period 1855-61 was 32, with the Whigs showing far greater cohesion than the Democrats: 53 to 28. Significantly, the figures on slavery questions reveal the complete absence of party lines. The mean for 1855-61 was the lowest studied, nine, and the cohesion figures were also the lowest found, 24 and 20 respectively.

Placing Virginia's party conflict figures in context is an operation fraught with pitfalls. Since comparable analyses exist for few states and many reports are sketchy, comparisons must be made with care. Until solid data are available for other upper and lower Southern states, judicious use of non-quantitative assessments, or of quantitative studies of areas other than legislatures, may be helpful.

J. Mills Thornton's massive study of Alabama reports party conflict figures for a period earlier than the present analysis, yet the results for 1849 roughly parallel those of Virginia in 1848. Thornton's conclusions about the more general operation of Alabama's political system provide a useful picture. The legislature was the most powerful political body in the state, with a wide latitude of responsibilities: "The legislature was very nearly the whole state government, and a major force in local government as well." What had been a vigorous two-party system, as manifested in the legislature of 1849, was by 1857 in serious trouble and by 1859 eclipsed by growing class conflicts.¹⁹

Three factors – the electorate's fear and disorientation, the older, radical fire-eaters' dogmatic hostility to politics, and the faith and actions of the young Yanceytes – were all converging, from different directions, towards a single result: a new and volatile suspicion of established political institutions, a combustible doubt fed by all sorts of independent factors. The voters could no longer rest in the assurance that their leaders had identified the enemy and were planning its destruction.²⁰

The electorate, he concludes, was in search of an issue, and secessionism provided the alternative to the normal political process. In 1857 the Whigs severed their ties to the national party as part of a decade-long campaign to co-opt the southern rights issue from the Democrats, but the Know-Nothing debacle in that year manifested Whigs' inability to divorce themselves from their northern wing. In the legislatures of 1853 and 1855, Thornton shows, the Whigs held 40% of the seats. They dropped to 16% in 1857.²¹

While the Virginia Know-Nothings (fully supported by the Whigs) suffered similar defeats in 1857, they differed from the Alabama experience in three ways: first, the loss was not as severe; second, the Whigs staged a successful electoral comeback in 1859; third, the Virginia Whigs and their Democratic counterparts consistently urged the suppression of the slavery issue and opposed anti-union rhetoric.²² Table 1 illustrates the first two factors.

Table 1: Whig Representation in the House²³

Year	46	48	55	57	59	61
Whig percent of the house	45	46	37	26	40	--
Number of seats	132	135	152	152	152	--

While the figure for 1855 is lower than that of Alabama, the reading following the defeat of 1857 is not as low. Coupled with the comeback of 1859 and the renewed partisanship of the *Whig*, the Virginia experience should reveal a deeper faith in the existing political system. Yet the Whig resurgence was more apparent than real. The mean level of party competition in the legislature of 1859 was 15, the lowest for the critical period. The legislature, despite the apparent electoral message, had achieved virtual consensus.²⁴

In brief summary, interparty competition in the House of Delegates shows a downward trend to 1861 across all cases studied. From the sketchy data available in other states, Virginia resembles the lower South state of Georgia on finance issues. Political issues do not arouse a high degree of partisanship, nor do even the most potent national resolutions toward the end of the period. Substantively, the Democrats tended to follow the traditional Whig ideology on internal improvements and finance questions, while the Whigs followed the Democrats in patronage matters. There is, in short, an unmistakable trend toward consensus politics. Put another way, the Virginia legislative pattern resembles Alabama's electoral pattern, which according to both Holt's interpretation and Thornton's description of the Alabama experience, should reflect a growing lack of faith in the political process. Taken alone, party voting patterns in the House of Delegates suggest that Virginia should have seceded with the lower South states.

III.

This inconsistency between electoral competition and legislative conflict raises a problem for the Holt thesis. Although a complete resolution of the problem is beyond the scope of this paper and would require a Thornton-style analysis of Virginia politics, the inconsistency itself puts in question three assumptions underlying Holt's explanation of delayed secession: (1) that ideological values manifested themselves in political action, (2) which was defined by the presentation of clear party alternatives, (3) on state-level issues that mattered to the electorate. The electoral data and other evidence Holt uses amply support the thesis that party conflict was more pronounced in the upper South states, yet the legislative data present a severe challenge to the substantive political reality of that description as applied to Virginia. If, in other words, voters insisted that electoral choice represent real political alternatives, how can one reconcile the high levels of electoral competition in Virginia with the low levels of legislative party conflict?

As I will try to show, the inconsistency poses a serious dilemma for the Holt interpretation. On the one hand, the legislative results challenge Holt's conclusion that a framework of high party conflict on substantive issues mitigated extremism and elevated the degree of confidence in the political system held by citizens of the upper South.²⁵ On the other hand, arguments which tend

to reconcile the legislative data with that conclusion pose problems for the three assumptions underlying the thesis itself. The preliminary evidence of interparty rivalry can be read consistently with the present analysis, but only at the cost of undermining Holt's basic assumptions about the workings of the Second Party System.

There is much evidence to suggest the existence of a competitive party system in Virginia. In addition to the presidential, gubernatorial, and House results, both party presses — what Thornton called the third great element of party organization in Alabama — strove to suppress the slavery issue, stressed participation within the federal union, and regularly directed attacks on each other.²⁶

The *Richmond Enquirer* called slavery “the bond of union throughout the world,” a sentiment familiar to the *Whig*. The Democratic press hoped “that conservatism may now rally to the cause of Union,” and lectured the Legislature on the best means of its preservation: “There can be no peace for Virginia or the South in the Union as long as slavery is the foot-ball of the political parties.”²⁷

The *Whig* kept up the drumfire of partisanship, paralleling the *Enquirer's* box-score-style reporting of election returns, punctuated with protestations of loyalty from the county chairmen who sent in the results. Although the *Whig* attacked the Democracy and its press throughout the period (adopting *in toto* the principles of Know-Nothingism in 1855), it wavered on the eve of collapse in 1857. “So far as party issues are concerned,” wrote one dispirited editor, “we are willing and desirous to forgo any consideration of or any reference to them in the elections.” A series of editorials in the spring echoed this theme until a few weeks before the election when the staff stoked up the furnaces and brought out the usual fulminations against the Democracy on election day.²⁸

At least three arguments might support Holt's reliance on the preliminary evidence of party competition and against the significance of the results of this study. The first would hold that the data do not reflect the actual political experience in the Legislature. A cogent argument could be made that the internal improvements measures — transportation, incorporations, and government assistance — represent the same policy field so that the high levels of party agreement are merely repeated and produce an artificially low overall level of competition. This argument carries some force, considering the very high percentage of each year's roll-calls that constitute internal improvements.²⁹

There are several difficulties with this position. First, historians agree that westward expansion was an issue of primary importance during the period. That a large percentage of House business was taken up by developmental questions is perhaps more representative than it might appear from the tables alone. Ershkowitz and Shade, moreover, report that these issues constituted the lowest level of party conflict even at the outset of the Second Party System.³⁰ Second, even if the level of conflict could be characterized as artificially low, all other policy

groups show a downward trend, indicating the slide toward consensus progressed apart from the high proportion of internal improvements roll-calls. Third, the data show that for the period 1855-61, party conflict measured without internal improvements data nearly paralleled the original results: that is, for the period in question, internal improvements results were not much lower than other groups.³¹

A second general objection to the study might be that there was in fact party competition in Virginia, but that it was manifested in forums other than the legislature. The legislature, in short, may be the wrong place to look for conflict because it is less representative of popular choice than other institutions. This argument would explain the disparity of electoral and legislative results, the resurgence of the Whigs coupled with the drop in competition, and the rhetoric of the party organs despite their daily reports of legislative proceedings. If it is valid, however, the argument raises implications adverse to the Holt interpretation.³²

First, it would suggest that voters are concerned less with substantive state policy than with national issues and candidates, and would run counter to the apparent press interest in the day-to-day affairs of the legislature. Second, since the state legislature was the most powerful policy-making body in the federal system, and since it was the closest to the people in terms of the importance of policy decisions, competition, if it existed anywhere in the electorate, should have surfaced there. To assert that another forum was more important to the electorate runs counter to both the Holt thesis and traditional democratic theory. Finally, this line of argument runs parallel to Thornton's conclusions about the parties in Alabama:

In sum, however, it does appear that despite the substantial difference between the parties in both policies and social philosophy, partisanship in the assembly was perhaps as much manufactured as real. Parties as coherent groups were, on the whole, more effective as electoral than as legislative organs.³³

Perhaps the most cogent and potentially successful criticism of the present study, however, begins with the assertion that there was competition in the Virginia House, but instead of focusing at the party level, there was conflict between other kinds of groups. Not only the results of this study, but also the conclusions of other historians, suggest this possibility.

It is in this context that cohesion figures for the period become most important. A low index of party disagreement implies two polar types of cohesion figures. First, the cohesion levels might be quite high. This would mean that in cases where there was little disagreement, the parties voted together on each roll call. Raw vote totals would approach unanimity in most cases. Second, cohesion levels could be quite low. This would indicate that while roll-calls were closely contested, there were simply no identifiable party lines; that is, that the parties were split and competition existed on some level other than party.³⁴

The latter was the Virginia experience in many cases toward the end of the period (See Appendix II). While the Democrats were clearly more deeply split than the Whigs, both parties show signs of loss of cohesion during 1855-61 — presumably a loss due to the operation of other vote-determining factors. Thornton's study of Alabama finds an identifiable trend toward class competition within the assembly by 1859, but there was also an important regional factor in party organizations during the antebellum period. William W. Freehling has found a strong fear of intrastate disunity during the Virginia Secession Convention that may have made secession a tool to unify a fragmenting state. He has suggested regional and class divisions as an answer to the puzzle of Virginia's departure from the Union. Indeed, some of the results of this study would support such an interpretation; for example, votes on slave laws were often contested, but the Mean IPD for 1855-61 was 9, while the Mean RIC was 24 and 20 for Democrats and Whigs respectively. Similarly low cohesion figures characterize debtor-creditor legislation, appointments, taxation policy, and transportation measures. This suggests that regional or class splits in the formal parties ultimately determined voting behavior.³⁵

In view of the *fait accompli* represented by the formation of West Virginia and the earlier disputes over apportionment, regionalism would seem a likely candidate as a variable around which groups may have coalesced.³⁶ While this interpretation would tend to reconcile the data with the Holt thesis, it raises further problems.

First, the theory that a viable political structure prevented the secessionist alternative in Virginia is replaced by a theory that a region-based competitive structure performed the same function. Although the data do not rule out, and may even encourage, such a view, it violates the principle that the party structure minimized extremist positions. Second, this argument again questions the connection between ideology and party behavior that is essential to the general theory. Third, it would mean that the final determinant of political viability would not be the substance and relevance of state issues as represented by the parties, but rather the importance of those issues as reflected by regions.

IV.

The present study shows that competition in the Virginia House of Delegates on issues of substantial interest to the electorate was far from highly developed. Rather than high levels of conflict, the parties register consistently low levels with a trend toward complete consensus by 1859 (and apart from national issues, by 1861). Several specific conclusions are possible. First, the parties failed to develop distinct ideologies or to offer clear policy alternatives across a broad range of issues throughout the period studied. The parties carried on a tradition of consensus in the field of internal improvements begun during

the Jackson years, with the Democrats adopting Whig notions of the promoter-state in order to achieve western development. The voter who opposed internal improvements or business incorporations for that purpose found essentially no political proponents of his views. In the area of finance measures, what had been a competitive system in the Jackson years gradually shifted to a general consensus. Banking and currency issues could muster only the lowest levels of significant conflict: a marked decline from the late 1830's. Again, the Democrats adopted a perspective more traditionally associated with Whig ideology, albeit in a modified form. Issues such as appointments and elections, after reaching the highest competitive levels in Jacksonian New Jersey, registered low levels of competition in Virginia between 1846 and 1861. Finally, national resolutions, including issues that raised peak levels of competition in 1846, could muster only low levels of significance in 1859 and 1861. Put another way, the mean index of party likeness on all issues for the period 1855-61 was 78: a figure approaching consensus.

Second, the legislative conflict levels were inconsistent with electoral results and newspaper accounts of the strength of party loyalty, particularly during the year 1859. The preliminary evidence leading to the conclusion that party competition was high in Virginia is in fact unrepresentative of the substantive workings of the legislature.

Third, although there is simply not enough data to compare Virginia politics with the Alabama experience, it is clear that the electoral patterns were inconsistent in that Virginia Whigs made a successful comeback from the defeats of 1857. The substance of that comeback, however, was an index of party agreement of 85 — a result akin to Thornton's conclusion that legislative partisanship in Alabama was more apparent than real.

Finally, the study shows that by 1855 the Virginia voter had little real choice between party alternatives as offered on the floor of the House. Although the party organs stressed ideological differences and the electorate responded with fairly competitive results, the substantive issues rarely sparked significant party-oriented opposition, and by 1859 the voter would be hard-pressed to describe the difference in any positions taken by Whigs or Democrats.

These findings raise several implications adverse to the Holt interpretation. First, the results of this study directly challenge the conclusion that a competitive political system prevented an earlier resort to secessionism in Virginia. Given the very low IPD for the period, party conflict over substantive issues must be ruled out as a factor in the delayed departure from the Union.

The data suggest that older descriptions of a deferential democracy controlled by an elite few, rather than a model assuming fully competitive parties, may hold the answer to Virginia's delayed secession.³⁷ If the assumptions underlying Holt's position are correct, Virginia experienced a lack of clear policy alternatives and, by implication, a lack of confidence in the political system by 1855, well before secession. The legislative results indicate the inability of the

parties successfully to define and locate one another as enemies within the state, which should have forced them to root out the devils north of the Mason-Dixon Line, an exercise characteristic of the lower South states. Yet the electoral data and other evidence indicate nothing like such a crisis of confidence.

Second, if Holt's conclusions about competition in the upper South can be reconciled with the Virginia data, then this study poses problems for the assumptions on which those conclusions are based. If the consistently low level of competition can be read as disguised confidence, or a relaxed electoral attitude, then competition existed solely on the electoral level and was only indirectly related to substantive state issues that should have made a difference to voters. Ideology stopped at the ballot box. If the legislature is the wrong forum in which to look for competition, then either state issues were unimportant to voters or party alternatives were used only for federal questions and campaigns. If party conflict is the wrong variable to test, obvious difficulties arise. This would imply that ideology was unrelated to party, that political alternatives were nonexistent, and that regional or class loyalty was put ahead of party. Political rivalries would turn on location and wealth. If, in other words, Holt's assumptions are incorrect, then the David Potter view of an interest-group policy is the better description.

This analysis suggests that party competition was not responsible for delayed secession and challenges the grounds on which that interpretation is based, but complete answers to these questions may lie in a multivariate analysis of voting patterns in the House or in a more thorough investigation of the entire political structure resembling Thornton's study of Alabama. While Virginia is only a part of the upper South, and the upper South only a part of Holt's suggestive interpretation of the relationship between the collapse of the Second Party System and the secessionist alternative, the results of this study suggest that the answer to the long containment of secession may not lie exclusively with the political parties and their interaction at the public policy level. If the Whigs and Democrats of Virginia thought each other formidable foes of republican ideals during their campaigns, by the time they reached the legislature, the electoral rivals had become dragons of paper.

APPENDIX I

Compostion of the House of Delegates and Breakdown of Roll-Call Analysis

	1846	1848	1855	1857	1859	1861
House	T: 132 D: 72 W: 60	T: 135 D: 73 W: 62	T: 152 D: 96 W: 56	T: 152 D: 112 W: 40	T: 152 D: 91 W: 61	--- --- ---
Roll Calls	T: 112	T: 304	T: 170	T: 328	T: 304	T: 195
Unanimous	18	23	83 ³⁹	150	146	100
Cleavage	94	281 ³⁸	87	178	158	95
Sample	57	124	64	90	113	48
Breakdown:						
Transport	22	22	13	11	19	2
Incorp.	20	21	7	27	42	2
Gov't. Asst.	6	23	17	19	10	8
Bank Ch.	--	6	10	3	1	6
Currency	--	6	--	8	9	3
D-Cred.	--	6	--	--	3	--
Taxatiion	1	13	9	8	14	2
Appts.	3	6	5	5	5	--
Elections	1	10	--	4	2	--
Nat. Res.	4	6	--	--	7	23
Slave Laws	--	5	3	5	1	2

Total Roll calls: 1413

Total Unanimous: 520 (37% of total)

Total cleavage: 893 (63% of total)

Total sample: 495 (35% of total; 55% of cleavage)

APPENDIX II

Results of Legislative Roll-Call Analysis of House of Delegates

Form: Index of party difference
 Whig Rice Index of Cohesion
 Democrat Rice Index of Cohesion

	1846	1848	1855	1857	1859	1861	Mean, '55-61
Transport.	17	13	24	17	12	6	16
	33	32	50	37	42	28	42
	19	25	21	27	26	15	24
Incorp.	17	15	36	27	12	11	21
	15	27	57	48	50	35	52
	21	14	23	24	38	17	33
Gov't. Asst.	14	19	29	20	13	9	20
	31	31	50	48	57	40	49
	10	31	21	19	37	23	23
Bank Ch.	--	58	39	43	5	22	33
	--	79	67	70	60	53	62
	--	35	37	43	50	28	36
Currency	--	61	--	43	19	14	28
	--	86	--	56	38	41	46
	--	59	--	40	10	50	28
D-Cred.	--	20	--	--	16	--	16
	--	29	--	--	29	--	29
	--	24	--	--	31	--	31
Taxation	16	16	31	11	21	19	21
	44	41	47	31	29	31	34
	12	40	33	30	46	57	39
Apptmts.	46	48	23	15	9	--	16
	57	65	41	28	36	--	37
	35	56	43	25	31	--	35
Elections	--	65	--	41	18	--	33
	--	68	--	71	27	--	56
	--	70	--	36	63	--	45
Nat. Res.	95	56	--	--	36	33	32
	96	50	--	--	70	48	53
	94	60	--	--	8	33	28
Slave Laws	--	23	4	17	4	3	9
	--	45	18	31	2	24	24
	--	53	25	10	10	27	20
Yearly Mean	23	28	29	24	15	22	22
	34	42	51	45	45	44	46
	27	35	27	25	33	32	29

APPENDIX III

Unanimous Vote Patterns

	1846	1848	1855	1857	1859	1861
Transport.	--	--	2	19	7	3
Incorp.	--	--	3	6	6	5
Gov't. Asst.	--	1	5	12	5	3
Bank Ch.	--	--	9	--	--	1
Currency	--	--	--	1	--	3
D-Cred	--	1	--	--	1	--
Taxation	--	--	2	3	5	5
Apptmts	14	8	3	4	3	--
Elections	--	--	--	1	--	--
Nat. Res.	1	1	--	1	4	6
Slave Laws	--	--	3	2	1	4
Private Relief	--	--	23	71	78	55
Other	3	12	33	30	36	15
<hr/> Total	18	23	83	150	146	100

Notes

1. Michael F. Holt, *The Political Crisis of the 1850s* (New York: John Wiley & Sons, 1978), pp. 3, 6-8, 4, 258-59. An articulate statement of the more traditional view is David M. Potter, *The Impending Crisis 1848-1861* (New York: Harper & Row, 1976). Potter agrees with Holt that the parties were "strong unifying agencies" (p. 225) but holds not only that the parties were more creatures of interest group politics than of consistent ideology, but also that they "did not have enough intellectual focus to offer the voters clear-cut alternatives" (p. 226).

2. Holt, pp. 219, 227, 229, 243-256. For a similar view of the critical importance of party conflict in American society and an analysis of its structure and operation, see Robert A. Dahl, *Pluralist Democracy in the United States: Conflict or Consent* (Chicago: Rand McNally, 1967), especially pp. 270-281.

3. Holt, pp. 230-236. Other scholars have called for further study of state legislatures. Norman Risjord has decried the lack of attention as "unfortunate, not only because American politics in the post-Revolutionary era were state-oriented, but also because the state Assembly involved a sort of second-echelon elite. Thus a careful study of assemblies

should enable historians to move closer to the political attitudes of the 'common man.' ” Norman K. Risjord and Gordon Den Boer, "The Evolution of Political Parties in Virginia, 1782-1800," *Journal of American History* 60(March 1970), 961.

4. U.S. *Constitution*, art. I, sec. 10, and art. IV, sec. 2; *McCulloch v. Maryland*, 4 Wheat. 316 (1819), *Fletcher v. Peck*, 6 Cranch 87 (1810), *Dartmouth College v. Woodward*, 4 Wheat. 518 (1819), *Gibbons v. Ogden*, 9 Wheat. 1 (1824); Va. *Constitution*, art. IV, secs. 20, 25, 30, 38 (1851), appended to *Journal, Acts and Proceedings of a General Convention of the State of Virginia* (Richmond: Wm. Culley, 1850-1851). The classic treatment of the power of state legislatures prior to the adoption of the fourteenth amendment (July 9, 1868), is Thomas M. Cooley, *A Treatise on the Constitutional Limitations which Rest upon the Legislative Power of the States of the American Union* (Boston: Little, Brown, 1868). Cooley wrote: "The legislative department [of a state] is not made a special agency for the exercise of specifically defined legislative powers, but is entrusted with the general authority to make laws at its discretion" (p. 87).

5. For representative examples of press coverage of the House of Delegates during the period, see the *Richmond Enquirer*, 15 December 1846 (p. 5 col. 1), and 6 December 1859 (p. 3 col. 4); and the *Richmond Whig*, 3 March 1846 (p. 2 col. 6), and 7 December 1857 (p. 2 col. 1).

6. All roll-call data have been computed from the raw vote tallies in the official journals of the House: *Journal of the House of Delegates of the State of Virginia, Session of 1846-47* (Richmond: S. Shepard, 1847); *Journal of the House of Delegates of the State of Virginia, Session of 1848-49* (Richmond: S. Shepard, 1848); *Journal of the House of Delegates of the State of Virginia, Session of 1855-56* (Richmond: W.F. Ritchie, 1855-56); *Journal of the House of Delegates of the State of Virginia, Session of 1857-58* (Richmond: W.F. Ritchie, 1857); *Journal of the House of Delegates of the State of Virginia, Session of 1859-60* (Richmond: W.F. Ritchie, 1859); *Journal of the House of Delegates of the State of Virginia for the Extra Session of 1861* (Richmond: W.F. Ritchie, 1861). The House met yearly until the constitutional revision of 1851, and thereafter met every other year. Political affiliations are not reported in the journals; however, the *Enquirer* and the *Whig* announced complete lists of the makeup of the House. Party affiliation was gleaned from the following issues of the *Enquirer*: 8 May 1846 (p. 4 col. 5), 13 May 1848 (p. 2 col. 3), 8 June 1855 (p. 2 col. 6), 16 June 1857 (p. 2 col. 5), and 22 November 1859 (p. 2 col. 5). Throughout this study I have used the term "Whig" to refer to those groups opposing the Democrats. For a complete table of the composition of the House during the period, see Appendix I.

The index of party difference is defined as the difference between the percentage of Democrats voting yea, and the percentage of Whigs voting yea, on a given roll-call. The Rice Index of Cohesion is defined as the difference between the percentage of yea and nay votes within each party. Lee F. Anderson, Meredith W. Watts, Jr., and Allen B. Wilcox, *Legislative Roll-Call Analysis* (Evanston: Northwestern University Press, 1966), pp. 43, 33.

7. The sample of cases to be studied chosen in a three part procedure. First, I have eliminated all unanimous votes, defined as all roll-calls on which 15% or less of the members opposed a measure. Second, I have chosen for analysis types of legislation representative of the spectrum of policy decisions made by the House. Finally, I have justified the exclusion of the remainder of the cleavage votes on one of two grounds: (1) that the substance of legislation was too infrequent to measure consecutively, (2) that they are reflected in types of legislation already counted, for example, procedural wranglings over substantive acts. For a given year, no fewer than 44% of the cleavage votes were counted in the study. For complete details of the size and composition of the sample of cases, see Appendix I.

8. Terms like "fairly high," of course, mean little without definition. For the IPD, a reading of 34 would indicate that two thirds of one party opposed two-thirds of another on

a particular vote. This would be the lowest acceptable evidence of competition. A reading of 50, on the other hand, would indicate three-fourths to one-fourth split: much better evidence of cohesion. Thus for both indexes, the higher the figure, the higher the interparty conflict or intraparty cohesion. By way of illustration, a vote of 67% Whig yea votes and 33% Democrat year votes would result in an IPD of 34: two-thirds of the Whigs voting year and two-thirds of the Democrats voting nay. Similarly, the RIC for Whigs would be 67% yea less 33% nay, or 34% cohesion.

9. Rush Welter, *The Mind of America 1820-1860* (New York: Columbia, 1975), Herbert Ershkowitz and William G. Shade, "Consensus or Conflict: Political Behavior in the State Legislatures during the Jacksonian Era," *Journal of American History* 58 (1971), 605; 607. Figures from the article have been summarized and converted to indexes of difference in Holt, pp. 26-27. Two earlier studies have argued that the Second Party System in Virginia was oligarchical rather than competitive. James Roger Sharp, *The Jacksonians Versus the Banks* (New York: Columbia University Press, 1970); Richard P. McCormick, *The Second American Party System* (Chapel Hill: University of North Carolina Press, 1966). See note 37 below and accompanying text.

10. For precise figures for each year and each public policy issue, see Appendix II. The mean IPD in 1861 computed without national resolutions was 13. There were only three charters granted to nontransportation corporations during this period. They fall under the "cleavage uncounted" category.

11. Welter, pp. 165, 169; Ershkowitz and Shade, pp. 605, 607.

12. Thus, 47 of 58 pro-incorporation measures passed during the period. These figures were compiled from a reading of all of the incorporation measures that achieved roll-call status, and include unanimous votes.

13. Welter, p. 167; Ershkowitz and Shade, pp. 600, 602, 608. These figures were compiled from a reading of all of the banking measures that achieved roll-call status, and include unanimous votes. The Democrats tended to follow Whig ideology in this area, but with some modifications. In 1855 for example, there was an extensive battle over the substance of the rechartering of the Bank of Virginia, including debates over shareholder liability (which was ultimately excluded from the act). *Journal, Session of 1855-56*, pp. 368-89. In 1857 shareholder liability was imposed on the recharter of a private bank. *Journal, Session of 1857-48*, p. 83.

14. Holt, p. 317, n. 27. By way of additional comparison, the IPD on banking questions in Maryland for 1853 and 1854 was 0 and 26 respectively. *Ibid.*, p. 115. In addition, Professor Davis had found that in Illinois, "Whig and Jacksonian rhetoric regarding business enterprise was well-reflected in legislative behavior, at least insofar as that enterprise was associated with banks." Rodney O. Davis, "Partisanship and Jacksonian State Politics: Party Divisions in the Illinois Legislature, 1834-41," in Robert P. Swierenga, ed., *Quantification in American History: Theory and Research* (New York: Atheneum, 1970), pp. 157-58.

15. Peter Levine, "State Legislative Parties in the Jacksonian Era: New Jersey, 1829-1844," *Journal of American History* 62 (1975), 599. For purposes of comparison I have converted Levine's indexes of likeness to indexes of difference.

16. Crutchfield's elections are reported in the *Journal, Session of 1855-56*, p. 3; *Journal, Session of 1857-58*, p. 3; and *Journal of 1859-60*, p. 4. Hunter's elections are reported in the *Journal, Session of 1846*, p. 86 and *Journal, Session of 1859*, p. 4. In tallying appointments votes, the Journals report all votes preliminary to the final count. I have excluded these from the study; they do not appear in the total roll-calls per year figures.

17. For the session of 1829-32, Levine reports an IPD of 57 for appointments, and IPDs of 22 and 71 for elections and election contests, respectively. Levine, p. 597.

18. Reference to the substance of the national resolutions helps place the legislative response in a larger context. In 1846 Virginia Democrats submitted a series of resolutions applauding the Mexican War and thanking President Polk for his conduct of hostilities. The Whigs were defeated on a motion to table, and the resolution passed strictly along party lines. *Journal, Session of 1846-47*, pp. 134-38. In 1848 there was substantial interparty conflict over the form of Virginia's condemnation of the Wilmot Proviso. *Journal, Session of 1848-49*, p. 175. The visit of Christopher C. Memminger as a delegate from South Carolina sparked a lower level of conflict, but considerable discussion. *Journal, Session of 1859-60*, pp. 261, 271, 414, 419-22. The resolutions of 1861 centered on three issues: the form of the state convention on secession, the Washington Convention, and various measures designed to assert the right of resistance to a spectrum of potential federal moves.

19. J. Mills Thornton, III, *Politics and Power in a Slave Society: Alabama 1800-1860* (Baton Rouge: L.S.U. Press, 1978), pp. 465, 489. Early in the period, Thornton notes, "the parties were perhaps the most comprehensive and assiduous reflectors of Alabamians' desires," and offered "clear ideological positions" (pp. 117, 132).

20. *Ibid.*, p. 59.

21. *Ibid.*, pp. 339, 349, 360.

22. For example, see the *Richmond Whig*, 9 November 1860 (p. 2 col. 1), and 16 November 1860 (p. 2 col. 1); and the *Richmond Enquirer*, 8 February 1856 (p. 2 col. 1), and 6 December 1859 (p. 1 col. 4).

23. For a complete table of the composition of the House during the years studied, see Appendix I.

24. The fall and rise in the pattern of *Whig* partisanship may be initially traced through the following issues: 7 December 1857 (p. 2 col. 1) (*Whig* called for abolition of party lines during the upcoming election); 29 May 1857 (p. 1 col. 1) (renewed call for partisanship in name of distributionist land policy); 11 January 1859 (p. 1 col. 1) (an early call to the barricades); 20 May 1859 (p. 2 col. 1) (a typical election eve harrangue to the party).

25. Holt, pp. ix, xi.

26. Thornton, p. 128.

27. The *Richmond Enquirer*, 29 November 1859 (p. 2 col. 1); 6 December 1859 (p. 1 col. 4, p. 1 col. 5); 28 May 1859 (p. 2 col. 1).

28. The *Richmond Whig*, 1 May 1846 (p. 1 col. 2); 8 May 1855 (p. 2 col. 1): "Day after day the invisible *Sam* welcomes into his household scores of the sons of Virginia;" 7 January 1857 (p. 2 col. 1); 29 May 1857 (p. 1 col. 1).

29. The internal improvement percentage of each year's cleavage roll-calls was as follows: 1846 - 86%; 1848 - 53%; 1857 - 63%; 1859 - 63%; 1861 - 25%.

30. This conclusion was not made explicit by Ershkowitz and Shade. It is most clearly shown by Holt's compilation of the results. Holt, pp. 26-27.

31. Figure 6: Mean IPD Per Year Computed without Internal Improvements Issues



The mean IPD per year calculated without reference to internal improvements issues were as follows: 1846 - 79; 1848 - 42; 1855 - 29; 1857 - 27; 1859 - 21; 1861 - 27.

32. The possibility of a nonresponsive legislature has been raised in another context: Ballard C. Campbell, "Did Democracy Work? Prohibition in Late Nineteenth Century Iowa: A Test Case," *Journal of Interdisciplinary History* 8 (Summer 1977), 87.

33. Thornton, p. 97. On a more methodological level, this line of argument would also pose a threat to basic assumptions underlying the use of legislative roll-call analysis as a tool for the discovery of party conflict from which larger generalizations about society may be made. See, for example, Risjord, note 3 above.

34. An illustration may be helpful. (1) Assume a roll-call in which 100 votes are cast yea, with no opposition. This would mean an IPD of 0 and an RIC of 100 for both parties. (2) A roll-call in which 60 votes were cast yea and 40 nay, on the other hand, suggests significant opposition. Assume that of the 60 yea votes, 30 are Whig and 30 are Democrat; and of the 40 nay votes 20 are Whig and 20 Democrat. This would yield an IPD of 0 (60%-60%), and an RIC for each party of 20 (60%-40%). There is opposition, but party is of low significance as determinant of the votes on the issue.

35. Thornton, pp. 471-73; William W. Freehling, "The Editorial Revolution, Virginia, and the Coming of the Civil War: a Review Essay," *Civil War History* 16 (March 1970), 68, 71.

36. Regional disputes are reflected in the reapportionment measure brought into the state constitution of 1851. Compare Va. *Constitution*, art. III (1829), in *Proceedings and Debates of the Virginia Convention of 1829-30* (Richmond: Ritchie and Co., 1830), with Va. *Constitution*, art. III (1851), note 4 above, where the effect was to raise the percentage of western delegates to the House. Earlier historians have emphasized regionalism in Virginia politics. See Charles H. Ambler, *Sectionalism in Virginia from 1776 to 1861* (Chicago, 1910); Henry T. Shanks, *The Secession Movement in Virginia 1847-1861* (Richmond: Garrett and Massie, 1934).

37. This finding supports the conclusion of other historians that Virginia's political parties were less than fully competitive. James Roger Sharp has written that "there seems to have been a tacit agreement among the leaders of both parties not to exploit for political advantage those important questions that would have immediate local political, social, or economic implications." *The Jacksonians Versus the Banks* (New York: Columbia University Press, 1970), p. 219. See also Richard P. McCormick, *The Second American Party System* (Chapel Hill: University of North Carolina Press, 1966), pp. 179-181.

38. The large number of cleavage votes uncounted for the year is due primarily to the legislature's overhaul of the probate laws and judicial code. Since neither category reappeared in 1855-61 with any regularity, the votes were not analyzed.

39. The sudden increase in the percentage of unanimous votes after 1855 would at first sight appear to be indicative of higher party consensus on issues analyzed in this study. It is, however, a function of the massive increase in private relief measures brought to the House. See Appendix III for a topical breakdown of the unanimous votes.