Reconstruction and the Mexican Crisis of 1864

By DALE STEINER

The violent Congressional reaction to the accession of the Emperor Maximilian to the Mexican throne, despite its dramatic impact, has been largely ignored by historians. A prominent diplomatic historian dismisses the episode as a "tempest in a teapot," [1] while those authors dealing more specifically with the Civil War and Reconstruction have ignored the incident altogether. The tendency on the part of Reconstruction historians to disregard any discussion of the international relations of the era is perhaps the result of an assumption that foreign policy was administered independently of domestic concerns, that the political struggle taking place in Washington between the President and Congress had no relation to events in London and Paris. An examination of the domestic political storm caused by Louis Napoleon's installation of Maximilian in Mexico leads to a challenge of this assumption by demonstrating that not only was the administration of foreign affairs not independent of domestic concerns, it was actually subservient to internal political needs—domestic politics spilled over into the international sphere; external events were utilized to acquire power within the domestic framework.

An analysis of the politics surrounding the Mexican incident might also be useful in encouraging a reappraisal of an older interpretation of Reconstruction no longer current. The present interest in securing civil rights for oppressed minorities has contributed immeasureably to the interpretation that the radical measures of Reconstruction were the actions of men motivated by ideals of racial justice. The acceptance of this premise has resulted in the repudiation of the "political school," which viewed the attention given to emancipation and civil rights as nothing more than a smokescreen designed to disguise an attempt by a coterie of cynical "Jacobins" to achieve national political dominance.[2]

An inquiry into a problem of foreign affairs could be help-

ful in determining whether any validity can still be accorded a political interpretation of the events of Reconstruction. Such a problem could effectively illustrate the intra-governmental strains arising from a competition for power and leadership and strip the debate of any rhetoric about emancipation or civil rights. At the same time, however, it must be remembered that the conduct of foreign affairs has always served as an arena of competition between the executive and legislative branches of government, from the days of the Jay Treaty to the present.

Even with this proviso, the Mexican controversy affords an excellent opportunity to make such an examination. In this instance there is an added dimension to the traditional conflict over control of foreign affairs; the struggle is more intense, the competition more bitter, the stakes higher, as illustrated by a subsequent Senate memorandum describing the actions of the House as "the first attempt in our history to establish the doctrine that Congress has a paramount authority in foreign affairs." [3]

Since the winning of Mexican independence from Spain in 1820, the various governments of Mexico had been plagued by an inability to establish effective internal control. The chaotic conditions caused serious economic hardship to foreign investors and occasionally threatened the lives of foreign citizens residing in Mexico. Finally, in 1861, the principal European powers concerned, Great Britain, France, and Spain, met in London to discuss the implementation of measures designed to force Mexico to fulfill her international obligations. The result was the Convention of London, signed October 31, 1861, which outlined plans for a three-power expeditionary force to seize key Mexican ports and hold them until a settlement had been reached. The signers renounced any territorial ambitions and invited the United States, which had similar claims against Mexico, to participate in the venture.[4] The offer was refused. It soon became apparent to the governments of Great Britain and Spain that Napoleon III had more grandiose plans than a mere settlement of debts, and the resultant rupture among the allies led to a withdrawal of the British and Spanish forces on April 24, 1862.[5] Left alone in Mexico, Louis Napol-

eon's legions strove to implement his design: the creation of a satellite empire upon the ruins of the Mexican Republic.

Napoleon's plans appeared near fruition in April 1864. French troops had entered Mexico City in July 1863, and the Archduke Ferdinand Maximilian of Hapsburg, brother of the Austrian Emperor Franz Joseph, had consented to be his puppet upon the Mexican throne, the coronation to take place April 10, 1864.[6]

Rumors predicting the recognition of the new regime by the United States appeared in both foreign and domestic newspapers.[7] Belatedly, the United States House of Representatives expressed its dismay. In a joint resolution introduced by Henry Winter Davis, chairman of the Foreign Affairs Committee, the House unanimously declared to the world that the United States would refuse "to acknowledge any monarchical government erected on the ruins of any republican government under the auspices of any European power." [8] The resolution was described by the Washington *Daily Morning Chronicle* as "a very mild expression of American sentiment." Although the *Chronicle* also observed that the resolution was "free from the spirit of menace," [9] the French reaction was less casual. Edouard Drouyn de l'Huys, the French Foreign Minister, feared the possibility of war; Marc-Antoine Geoffroy, the French chargé d'affaires in Washington demanded an explanation; and John Bigelow, the American consul in Paris, gleefully reported that the scare had caused the bottom to drop out of the market in which bonds for a Mexican loan were being sold.[10]

In response to Geoffroy's demand, Secretary of State William H. Seward instructed the American minister in Paris, William L. Dayton, to make an explanation to the French government.

> It is hardly necessary . . . to say that this resolution truly interprets the unanimous sentiment of the people of the United States in regard to Mexico. It is, however, another and distinct question whether the United States would think it necessary and proper to express themselves in the form adopted by the House of Representatives . . . . This is a practi-

> cal and purely Executive question, and the decision of its constitutionality belongs not to the House of Representatives, nor even to Congress, but to the President of the United States. You will, of course, take notice that the declaration made by the House of Representatives is in the form of a joint resolution [and] . . . must receive . . . the concurrence of the Senate . . . . The President . . . directs that you inform the government of France that he does not at present contemplate any departure from the policy which this government has hitherto pursued.[11]

While Seward was quite correct in observing that a joint resolution approved by only one house of Congress had no legal validity, he made a major error in instructing Dayton to transmit this to the French government. Acknowledgement of Seward's assurances soon appeared in the *Moniteur*, the official organ of the French government: [12]

> The Emperor's Government has received from that of the United States satisfactory explanations as to the sense and bearing of the resolution come to by the House of Representatives at Washington relative to Mexico.
>
> It is known, besides, that the Senate had indefinitely postponed the examination of that question, to which in any case the executive power would not have given its sanction.[13]

The Congressional reaction was an indignant call by the House for the official correspondence and other pertinent documents on May 23. President Lincoln promptly complied, submitting the materials to the House on May 25, where they were referred to Henry Winter Davis' Committee on Foreign Affairs.

The reaction outside the Capitol was equally sharp. On May 26, the New York *Evening Post* stated: "It seems to us that Mr. Seward has been in too much of a hurry in his communication to the French government." The *Post* agreed with Seward that the House resolution expressed the popular will, but then challenged the rest of his statement:

> We will add that Congress is the proper organ for the expression of this sentiment, and it is eminently fit that the world should know what the American people think.
>
> It was not necessary that this resolution should be accompanied abroad by Mr. Seward's gloss. . . . We do not need to truckle or bow low and bend the knee to any government in the world; nor is it fit that a Secretary of State shall make haste to assure a foreign government that what he confesses to be the unanimous sentiment of the American people is of no importance and not worthy of notice. This is here a needless and incautious expression of contempt for the sentiments and wishes of the people.[14]

Even John Bigelow, who was Seward's close friend and confidant as well as being the consul in Paris, reprimanded the Secretary of State for his action:

> I cannot but regret that Mr. Dayton had any authority to furnish [an explanation], . . . as the subject stood very well where the House and the *Senate* left it. I think the resolution was having a wholesome effect here . . . when [French opponents of Napoleon's Mexican scheme] read your charming compliments to the French government, and of its good dispositions toward us, while they know it is doing all it can to cut our throats, they are indisposed to venture an attack. I think you will find before you get much farther with this government that you will have to take a more decisive tone with it.[15]

While the original resolution remained imprisoned in Charles Sumner's Senate Foreign Relations Committee,[16] Henry Winter Davis was preparing to offer another one. On June 27, his Foreign Affairs Committee submitted an inflammatory report, condemning the Secretary of State for having deprecated the importance of the House, and citing a long list of precedents to uphold the validity of the House resolution:

> No expression of deference can make the denial of

> the right of Congress constitutionally to do what the House did with absolute unanimity, other than derogatory to their dignity.
>
> They learn with surprise that in the opinion of the President the form and term of expressing the judgment of the United States on recognizing a monarchical government imposed on a neighboring republic is a "purely executive question". . . .
>
> This assumption is equally novel and inadmissible. No President has ever claimed such an exclusive authority. . . .
>
> The Constitution nowhere confers such authority on the President.[17]

The report noted with satisfaction that in 1862 Lincoln had declined to recognize "Hayti" and Liberia until Congress had passed an act authorizing him to do so.[18]

The central proposition of the report was contained in the words: "It does belong to Congress to declare and decide on the foreign policy of the United States. . . . The President is not less bound to execute the national will expressed by law in its foreign affairs than in its domestic concerns." [19] The report concluded by proposing the adoption of a second resolution:

> Resolved, that Congress has a constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States, as well as in the recognition of new powers as in other matters; and it is the constitutional duty of the President to respect that policy, not less in diplomatic negotiations than in the use of the national force when authorized by law; and the propriety of any declaration of foreign policy by Congress is sufficiently proved by the vote which pronounces it; and such proposition while pending and undetermined is not a fit topic of diplomatic explanation with any foreign power.[20]

Since the resolution was introduced so close to the end of the session, it was tabled; consideration of it had to wait

until December 1864 when the second session of Congress would convene. On December 15, Davis re-introduced the resolution, which was again tabled by a close vote.[21] However, the Washington *Daily Morning Chronicle* noted that this action did not signify that a majority of the Representatives disapproved of the measure:

> The resolution was laid on the table, but the vote cannot be regarded as a test of the opinions of members involved, since one or more of them declared the contrary.[22]

Thaddeus Stevens was one of those alluded to by the *Chronicle*. He expressed his support for the resolution but suggested that it be directed against the "Executive" rather than the "President" so as to encompass Secretary of State Seward in the criticism.[23] The change was made, and proved sufficient to overcome enough opposition to permit the passage of the measure on December 19.[24]

The actions of the two outstanding figures in this episode, Henry Winter Davis and William Seward, are so inconsistent with their past behavior as to require a closer inspection of the matter.

As has already been noted, the French had been present in Mexico for several years and their designs apparent for an almost equally long time. Furthermore, there had been a few Congressional denunciations of French actions. As early as 1860 Representative Samuel S. "Sunset" Cox had called the attention of the House to "the designs of France" in Mexico.[25] Since early 1863 Senator James A. McDougall had been waging a lonely, but noisy, battle to inspire the United States to act on the matter. On January 19, 1863, McDougall introduced a set of resolutions branding the French presence in Mexico "hostile" to the United States, demanding their immediate withdrawal, and offering aid to Mexico.[26] One year later, on January 11, 1864, McDougall introduced a more strongly-worded resolution, to compel Congress to declare war on France by March 15 if the French had not withdrawn their troops.[27] Through all this, through the long years of French

involvement in Mexico, Henry Winter Davis remained quietly aloof. As we shall later see, it was not until the spring of 1864, when he was challenging President Lincoln for control over the process of Reconstruction, that Davis exploded into a fury of concern over Mexico and indignation at the executive "usurpation" embodied in Seward's statement to the French government.

An analysis of the actions of the Secretary of State regarding the Mexican controversy reveals much intriguing information. At the outbreak of the Civil War Seward had proposed initiating a foreign war in order to bring the Confederate States back into the Union. France, due to her rumored interest in Mexico, seemed a likely candidate to Seward:

> I would demand explanations from Spain and France, categorically at once. . . . And if satisfactory explanations are not received from Spain and France, [I] would convene Congress and declare war against them.[28]

Shortly after the European powers accorded the Confederacy belligerent status, Seward proclaimed, "if any European power provokes war, we shall not shrink from it"—bold words, in light of the fact that the Union armies were everywhere in retreat.[29] Following the Northern victories at Gettysburg and Vicksburg Seward declared himself certain of the success of the Union forces [30] and promptly presented an ultimatum to Lord John Russell, the British Foreign Minister, on the matter of the continued construction of Confederate commerce raiders: "It would be superfluous in me to point out to your lordship that this is war." [31]

Yet Seward, who had found a warlike posture to be so useful a diplomatic weapon, felt compelled to repeatedly reassure the French of American goodwill on the Mexican issue. He deliberately misrepresented public opinion to Geoffroy, the French charge d'affaires, assuring him that Americans harbored little hostility for France or Maximilian [32]—despite the fact that in the notorious dispatch to Dayton, Seward had admitted that the indignant Congressional resolution of

April 4 "truly interprets the unanimous sentiment of the people of the United States." To justify his solicitous regard for the feelings of the French, Seward constantly invoked the spectre of a war with France that would doom the Union cause:

> Why should we gasconade about Mexico when we are in a struggle for our own life? . . .
>
> Do you suppose that the American people are in a temper to forgive an Administration that should suffer the Country to fall into a foreign war upon a contingent and merely speculative issue like that of the future of Mexico? [33]

This cautious attitude is utterly inconsistent with the fearless pronouncements mentioned above, nor is it justifiable in light of Seward's knowledge of international relations. In the spring of 1864 a firm stand by the United States on the Mexican issue would not have led to war with France. Although Napoleon had repeatedly expressed a desire to intervene in the Civil War for the purpose of mediating the conflict, he had always made such action contingent upon support by Great Britain and Russia. The British had recognized that the opportunity had passed, that the North was now certain of victory; and Russia would never have consented to intervention under any circumstances. In short, the French Emperor was too timid to declare war on the United States by himself.[34]

Events in Europe further diminished the possibility of action by Napoleon. Prussia and Austria had declared war on Denmark in February 1864 and had easily won a victory. Henry Winter Davis correctly assessed Napoleon's unwillingness to overextend himself in the face of the burgeoning power of Prussia:

> It is fortunate that events in Europe, in great measure, embarrass any further warlike enterprise on this continent, and the ruler who has not thought fit to mingle in the struggle of Poland or Schleswig-Holstein will hardly venture to provoke a war with the United States.[35]

The French Emperor faced internal as well as external challenges. It was widely acknowledged that Frenchmen were almost unanimous in their disapproval of the Mexican expedition. In addition, opposition to Napoleon's foreign policy was steadily increasing in the *Corps Legislatif*, where such respected and powerful leaders as Adolphe Thiers, Jules Favre and the venerable Antoine Berryer expressed their dissatisfaction.[36]

Davis also stated what must have been obvious to both Seward and Napoleon, that by going to war with the United States France would only be ruining her chances in Mexico:

> It is not perceived how an attack on the United States can promote the establishment of a monarch in Mexico . . . it would be an additional obstacle to the accomplishment of that enterprise.[37]

Other factors also indicated the unlikelihood of war between the United States and France. John Bigelow noted that the financial stability of France depended upon the maintenance of America's friendship.

> [Although] the [French] government is disposed to presume upon our embarrassment . . . they are, in point of fact in greater embarrassment than ourselves; they can bear nothing which affects their credit, and the least demonstration from the United States they feel in every fibre, as was shown by the nervous concern of the official journals about that resolution and by the fate of the [Mexican] loan.[38]

Moreover, French financial uncertainty increased as time passed. In early 1865 an observer in Paris commented on the French interest in "American affairs."

> The Bourse goes up and down on nothing else; it is the great question in all circles where politics, finances or commerce are the topics of conversation. The journals which are nearest the government labor in vain to stay the panic. . . . But the majority of speculators pay little attention to these semi-official

> assurances, and judge the question by their own reason, and this leads them to an opposite conclusion. This sentiment . . . paralyzes business.[39]

Bigelow was also aware of the French dependence upon American wheat, as is shown by his comment to John de la Montagnie, the United States consul at Nantes:

> In case of scant crops this Fall France must rely upon the United States or the Black Sea for her grain. But both of these sources of supply would be cut off if we were provoked.[40]

Yet, in the face of all this evidence, Seward felt compelled to assure the French government of American amity. Clearly he was motivated by something deeper than the desire to maintain good relations between his country and France. A confirmed expansionist, Seward had long expressed his belief in the eventual incorporation of Mexico into the United States. Significantly, a recurrent theme of his speeches on this subject was that internal turmoil and the eventual disintegration of Mexico was a necessary prelude to annexation. Addressing the Senate in 1853, Seward had stressed this point.

> Mexico, exhausted by internal factions, and by resistance to . . . aggressions, shall implore you to give her rest, and peace, and safety, by admitting her to your confederacy, as before long, in any event she surely must and will do. That time is coming soon enough.[41]

Seven years later Seward could scarcely contain his delight at the tragic events in Mexico.

> I can look southwest and see, amid all the convulsions that are breaking the Spanish American republics, and in their rapid decay and dissolution, the preparatory stage for their reorganization in free, equal and self-governing members of the United States of America.[42]

In mid-1861 Seward believed the opportunity for obtaining

all or part of Lower California was at hand. Attempting to capitalize on rumors that the Confederates were considering seizing the territory, Seward proposed that the United States purchase it from Mexico. He cleverly suggested "guarding the proposition with th[e] explanation" of the Confederate threat.[43] This scheme was soon supplanted by a more ambitious plan. Enlarging upon a proposal made by Thomas Corwin, the American minister to Mexico, Seward developed a means by which the United States might acquire the Mexican states of Lower California, Chihuahua, Sonora and Sinaloa. However, his program was foiled by the Senate.[44]

Seward was certain that while he waited none of his European rivals could snatch the Mexican prize away from him. Indeed, they could not hope to establish even a puppet regime in Mexico, for as Drouyn de l'Huys had remarked to Dayton in 1862 "the strings would be too long to work." [45] Almost prophetically, Seward had foreseen ten years previously an attempt by France to reassert her influence in the Americas, and just as accurately he had predicted its failure:

> We know full well that just as fast as the Mexican states shall be severed from the Mexican stock, by whomsoever it may be effected, they will seek annexation, not to France or to any other European power, but to the United States.[46]

For this reason, Seward had felt safe in 1863 in assuring the French government that the United States would not interfere in the war between France and Mexico,[47] confident that when the two adversaries had thoroughly exhausted themselves Mexico would fall into the hands of the United States like an overripe plum. "Five years, ten years, twenty years hence, Mexico will be opening herself as cheerfully to American immigration as Montana and Idaho are now," he blithely wrote.[48]

Sometimes Seward sought to give the "inevitable" a helpful nudge. On several occasions, this took the form of actual moral and material encouragement to the French. An anonymous observer reported this in February 1963:

> The agents of the French Govt. [in the United

States] openly purchase, and ship without hindrance, supplies of mules, waggons [sic] etc for their Army in Mexico.

The agents of Mexico purchased arms but were not allowed to ship them—wherupon [sic] the Mexican Minister Mr. Romero complains to Mr Secretary Seward of partiality towards France by the Govt. of the United States.[49]

A few months later, Seward actually suggested to Henri Mercier, Napoleon's ambassador in Washington, that the French blockade the Mexican port of Matamoras to prevent arms from reaching the Mexican republican forces.[50]

In order to fully appreciate the significance of Seward's actions and the Congressional response to them, they must be examined in light of contemporary events. Although the reconstruction of the Union had been a topic for debate and division between the legislative and executive branches since the outbreak of the Civil War, the first major clash on this issue did not occur until early 1864, when rival plans of reconstruction were proposed by the President and Congress.

On December 8, 1863, President Lincoln made public his program for reconstructing the Union in his annual message and a Proclamation of Amnesty. The plan was commonly called the "Ten Percent Plan" after its most prominent feature: native Southern whites would be permitted to re-establish self-government within the Union when one tenth of the 1860 electorate had taken an oath pledging to support the constitution and those acts by Congress and the President regarding slavery. In addition, Lincoln announced his intention to pardon all but a handful of the Confederate leaders.[51]

Within a few days opposition to the Presidential program was raining down from both the Democratic and Republican sides of Congress.[52] Within two months the House had prepared a rival plan, and on February 15, 1864, Henry Winter Davis introduced it onto the floor of the House.

A comparison of the Davis bill and Lincoln's proposals leads to some interesting conclusions as to the nature of the Congressional opposition to Presidential reconstruction. Like

Lincoln's plan, the Congressional proposal was based upon the use of a loyalty oath. In addition, the Davis bill—like the Presidential plan—required only ten percent of the 1860 electorate to take the oath.[53] The Congressional program followed the President in restricting the suffrage to whites, and also in providing for generous pardons, though somewhat less extensive than those suggested by the President. The Davis bill departed slightly from Lincoln's plan in some less fundamental ways: constitutional conventions, elected by those Southerners able to take a more stringent loyalty oath, would be required to write into the new state constitutions a repudiation of the Confederate war debt, to nullify the ordinance of secession, and to abolish slavery. Nevertheless, an undeniable similarity existed between the Congressional and Presidential plans. Indeed, William D. "Pig Iron" Kelley complained that the Davis bill drew "too largely from the President's plan." [54]

It is clear that the Congressional alternative to Lincoln's program for reconstruction was not based on grounds that the President had dealt too gently with the rebels. The proposed measure was almost as mild as that suggested by Lincoln. Representative George W. Julian later described the bill as "a stumbling-block in the way of the more radical measures which afterward prevailed." [55] It is equally clear that Congress was not attempting to exclude the President from *participating* in reconstruction—the Davis bill provided for the appointment of provisional governors by the President. Instead, Congress was stating categorically that it, and not the President, would *control* the course of reconstruction. Representative James G. Blaine viewed the Congressional plan of reconstruction as nothing more than a political challenge to the President's authority:

> [The Davis bill] was commonly regarded as a rebuke to the course of the President in proceeding with the grave and momentous task of reconstruction without waiting the action or invoking the counsel of Congress.[56]

There is a noticeable lack of commitment to the rights of

blacks in both the Presidential and Congressional plans of reconstruction. Both excluded freedmen from participating in the formation of the new state governments in the South. It is significant that after the Davis bill reached the Senate, Charles Sumner was defeated in his efforts to give the measure a tone of racial justice. Sumner proposed an amendment which would have given Lincoln's Emancipation Proclamation the power of law, but it was voted down 21 to 11.[57] These points indicate what Blaine had observed, that the struggle was essentially political in nature; Sumnerian idealism was out of place.

Despite, or perhaps because of, this lack of idealistic commitment, the Wade-Davis bill (as the measure was known once it had emerged from the Senate) was passed by the upper house on July 2, 1864, just one hour before the adjournment of Congress. This circumstance enabled the President to "pocket veto" the bill by allowing it to die without his signature and by not returning it to Congress. The rarely-used pocket veto was followed on July 8 by an unprecedented Presidential message explaining his reasons for refusing to act on the bill. George W. Julian felt that the veto had "exasperated a formidable body of earnest and impatient Republicans" while the message which followed it was termed "extraordinary" by James G. Blaine, who observed that the proclamation "met with almost unanimous dissent on the part of Republican members of Congress." [58]

Miscalculating the firmness of this "unanimous dissent," Henry Winter Davis and Benjamin F. Wade, the cosponsors of the reconstruction bill, issued a counter-proclamation on August 5. Although Representative Albert G. Riddle might have been correct in claiming that "the majority of both houses of Congress" supported Davis and Wade, it is apparent that the majority remained discreetly silent.[59] Asserting that "a more studied outrage on the legislative authority of the people has never been perpetrated," the two Congressmen flung angry charges of "executive perversion of the Constitution" and "dictatorial usurpation" at the President.[60] Nevertheless, no matter how bitter the recriminations hurled at Lin-

coln, he had succeeded in thwarting the Congressional plan of reconstruction at least until the 38th Congress convened.

But rhetoric was not the only weapon with which the President was assaulted. A more direct political threat was posed by the efforts of some radical Republicans, among them Henry Winter Davis, to deny Lincoln a second term as president.[61] When the attempt to secure the Republican nomination for Secretary of the Treasury Salmon P. Chase was thwarted by Lincoln's renomination, some of the dissidents backed the splinter candidacy of John Frémont. The nomination of General George B. McClellan by the Democrats insured the return of the dissidents by November,[62] but not before they had used Frémont's presence in the race as a lever to force Lincoln to remove his conservative Postmaster General, Montgomery Blair.[63]

The connection between these frontal political attacks and the flanking movement through the field of foreign affairs now becomes obvious. Congressional hostility to the administration's Mexican and French policies was nothing less than an extension of the opposition to the President into other fields. Gideon Welles, the Secretary of the Navy, gloomily recorded his suspicions to his diary:

> The House of Representatives to-day [December 19, 1864] passes a resolution of Henry Winter Davis, aimed at the Secretary of State for his management of foreign affairs, and asserting the authority of the House in these matters. There is a disposition to make the legislative . . . branch, the controlling power of the government.[64]

Welles was also aware of the connection of these events with the attempt to replace Lincoln as President:

> The [resolution] was conceived in a bad spirit. . . . [Davis] is just now connected with a clique of malcontents, most of whom were gathering a few months [ago] around our present Chief Justice.[65]

The interrelationship between the movement to dump Lincoln and the dissatisfaction with the administration's conduct

of foreign affairs had been apparent for several months before Welles noted it in his diary. The day after Davis' original resolution on Mexico the Chicago *Tribune* made a connection between it and the anti-Lincoln convention scheduled to meet in Cleveland:

> The bolters at the Convention at Cleveland will come out strongly in favor of the Monroe Doctrine. . . . This is a shrewd move on their part. On the other hand, the Administration, through Mr. Seward, feels itself compelled to temporize with the French Mexican occupation.[66]

The intragovernmental conflict so apparent in the Mexican controversy, the Wade-Davis bill, and the movement to replace Lincoln had grown out of the strains placed upon the American governmental system by the rebellion of the South. The solutions to fundamental problems—raising and equipping sufficient numbers of troops, paying for the war effort—had passed beyond the capacities of the individual states, resulting in an accretion of the powers of the federal government.[67] Both the Wade-Davis bill and Lincoln's program for reconstruction "represented a vast extension of federal power into areas of policy that were hitherto within state jurisdiction." [68]

Many of the newly-acquired responsibilities of the central government belonged distinctly to neither the Congress nor the President, so each branch was waging a furious struggle to claim them for its own. Lincoln could play the political game aggressively, as he repeatedly demonstrated through his adroit use of the soldier vote.[69] Thaddeus Stevens believed Lincoln had vetoed the Wade-Davis bill in order to insure the quick reconstruction of the southern states so that he might reap the political benefits by November:

> What an infamous proclamation! The President is determined to have the electoral votes of the seceded states.[70]

Henry Winter Davis imputed similar motives to the President. Urging the House to pass James M. Ashley's recon-

struction bill in February 1865, Davis warned his colleagues of the dangers of leaving the powers of reconstruction to Lincoln:

> If the rebel representatives are not here in December next, you will have servile tools of the executive. . . . These are the alternatives, there is no middle ground.[71]

Nor was Congress innocent of attempting to expand its influence. Gideon Welles suspected that it was seeking to make itself "the controlling power of government." In June 1864 William Seward righteously complained to John Bigelow that his opponents were attempting to utilize the international situation to achieve their domestic political ends:

> Party politicians think that the Mexican question affords them a fulcrum, and they seem willing to work their lever reckless of dangers to the Country.[72]

It is apparent that the storm stirred by official American policy toward Napoleon's installation of Maximilian was more than a "tempest in a teapot." The Mexican controversy has a multiple significance for the student of Reconstruction. It indicates the all-encompassing nature of the struggle for power in Washington by showing how this problem in international relations was exploited by those on both sides of the issue to further their domestic ambitions. Secretary of State William Seward saw the French invasion of Mexico as a potential opportunity to secure for the United States territory which he had long coveted, or perhaps even as a chance to bolster his presidential ambitions, thwarted in 1860 but cherished for some years to come.

In Congress the same men leading the fight against "executive usurpation" with regard to Reconstruction also were in the forefront of the movement to condemn "executive usurpation" in the field of foreign affairs. Henry Winter Davis introduced the key resolutions dealing with Mexico, led the floor fight for their adoption, and engineered the committee

report which charged that the Executive encroached upon traditional Congressional privileges, as well as introduced the Congressional plan of reconstruction, secured its approval by the House, and blasted the President for vetoing the measure. It is hardly surprising to find that Ben Wade, the Senatorial half of the Wade-Davis tandem, was one of the few Senators to defy consistently Charles Sumner's domination of the Foreign Relations Committee and attack French actions in Mexico.[73]

So effective a tool was the Mexican issue that Congress was unwilling to abandon it even after it was apparent that the French efforts had failed. In December 1865, only weeks before Napoleon III announced a timetable for the withdrawal of French troops, Edward Bates commented wryly upon the continued exploitation of the Mexican situation as an entering wedge into domestic politics:

> These Radicals are extremely anxious to have the [Civil] war continued as long as possible, for without a pretense of war, they may find it hard to continue much longer, the use of *martial law*. . . . The Empire in Mexico is part of the rebellion, and until it is put down the war continues; and so long as we are at war, we must have martial law. q.e.d.[74]

An examination of American foreign policy in 1864 is of further value in that it reaffirms some degree of validity for the old "political school" of historians, heretofore lost in the fashionable shuffle of revisionist interpretations. Giving credence to a political interpretation of events, however, is not to deny that some of the Reconstruction measures were the products of idealism and concern for human rights. Instead, it is simply an acknowledgement that the Congressional leaders opposed to Lincoln were politically astute—and that some fundamental questions arising out of Reconstruction were political in nature. The enactment of a program based on idealism, economic interests, or anything else depended upon winning control of the machinery of government, and it was upon these grounds that the battle over Reconstruction was fought.

NOTES

1. Richard W. Leopold, *The Growth of American Foreign Policy* (New York: Alfred A. Knopf, 1969), 77.

2. Perhaps the archetypical political interpretation is T. Harry Williams, *Lincoln and the Radicals* (Madison: University of Wisconsin Press, 1941).

3. Leopold, *The Growth of American Foreign Policy*, 78.

4. John Musser, *The Establishment of Maximilian's Empire in Mexico* (Menasha, Wisconsin: Banta Publishing Co., 1918), 16-17.

5. *Ibid.*, 40-46.

6. Percy Martin, *Maximilian in Mexico* (London: Constable and Company, 1914), 154; Frederic Bancroft, *The Life of William H. Seward* (New York: Harper and Brothers, 1900), II, 424.

7. The Chicago *Tribune* reported on April 5, 1864, that the United States had agreed to recognize the Mexican Empire in return for a declaration by Napoleon that he would never recognize the Confederacy. In March 1864 a Paris newspaper had reprinted an item from the London *Globe* which stated that "Mr. [William L.] Dayton, the American minister in Paris, [has] already intimated the readiness of his government to accredit a representative in Mexico, and receive a minister from the emperor of Mexico." Dayton to Seward, March 21, 1864, *House Executive Documents*, 38th Congress, 2nd session, No. 1, 54-55.

8. *Congressional Globe*, 38th Congress, 1st session, 1408. The vote was 109 to 0.

9. Washington *Daily Morning Chronicle*, April 8, 1864.

10. Dayton reported that shortly after news of the Congressional resolution reached Paris, he met with de l'Huys who greeted him with "Do you bring us peace, or bring us war?" Dayton to Seward, April 22, 1864, *House Executive Documents*, 38th Congress, 1st session, No. 92, 3; Seward to Dayton, April 7, 1864, *ibid.*, 39th Congress, 2nd session, No. 76; Bigelow to Seward, May 3, 1864, in John Bigelow, *Retrospections of an Active Life* (New York: The Baker and Taylor Co., 1909), II, 179.

11. Seward to Dayton, April 7, 1864, *House Executive Documents*, 38th Congress, 1st session, No. 92, 2.

12. The significance of the appearance of any statement appearing in the *Moniteur* had earlier been noted by Dayton: "The *Moniteur* is so exclusively an official paper that a reprint without dissetn [sic], of anything which purports to give the policy of this government is looked upon by the public as equivalent to an indorsement of the truth of the statement." Dayton to Seward, April 4, 1864, *ibid.*, 2nd session, No. 1, 61.

13. *Congressional Globe*, 38th Congress, 1st session, 2427.

14. New York *Evening Post*, May 26, 1864.

15. Bigelow to Seward, May 3, 1864, in Bigelow, *Retrospections*, II, 180.

16. Sumner feared adoption of the resolution would lead to war with

France and insure the destruction of the Union. Charles Sumner, *The Works of Charles Sumner* (Boston: Lee and Shepard, 1880), 257-261.

17. *House Reports*, 38th Congress, 1st session, No. 129, 1.

18. *Ibid.*, 5.

19. *Ibid.*, 9.

20. *Ibid.*, 11.

21. 69 for tabling the measure, 63 against. *Congressional Globe*, 38th Congress, 2nd session, 48.

22. Washington *Daily Morning Chronicle*, December 16, 1864.

23. *Congressional Globe*, 38th Congress, 2nd session, 49-50. Stevens charged that Seward was treating them like "impertinent boys" instead of the "Representatives of the people."

24. The resolution was divided into two parts to satisfy the demands of some representatives. Both parts, however, were passed. Part I: "Resolved, that Congress has a constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States, as well as in the recognition of new Powers as in other matters; and it is the constitutional duty of the executive department to respect that policy, not less in diplomatic negotiations than in the use of national force when authorized by law." Passed by a vote of 118 to 8. Part II: "And the propriety of any declaration of foreign policy by Congress is sufficiently proved by the vote which pronounces it; and such proposition, while pending and undetermined, is not a fit topic of diplomatic explanation with any power." Passed by a vote of 68 to 58. *Ibid.*, 66.

25. Martin, *Maximilian in Mexico*, 418.

26. *Congressional Globe*, 37th Congress, 3rd session, 371. Following the uproar over Seward's explanation of the House resolution to the French government the mercurial McDougall speculated on the possibility that the Secretary of State was "in league with Napoleon III, his wife Eugenie and [Pope] Pius IX." *Ibid.*, 38th Congress, 1st session, 3500.

27. John G. Nicolay and John Hay, *Abraham Lincoln: A History* (New York: The Century Co., 1917), VII, 407.

28. Henry W. Temple, "William H. Seward," *The American Secretaries of State and Their Diplomacy*, ed. by Samuel Flagg Bemis (New York: Pageant Book Co., 1958), VII, 35; "Some Thoughts for the President's Consideration," April 1, 1861, Seward MSS, University of Rochester.

29. Norman Graebner, "Northern Diplomacy and European Neutrality," in *Why the North Won the Civil War*, ed. by David Donald (New York: Collier Books, 1962), 60.

30. On July 30, 1863 he wrote Charles Francis Adams, the United States ambassador to England: "We regard the present stage of the contest as reassuring us of the ultimate deliverance of the country." Seward to Adams, July 30, 1863, *Diplomatic Correspondence*, 1863, I, 372-373.

31. Adams to Russell, September 5, 1863, *Diplomatic Correspondence*, 1863, I, 418.

32. Glyndon G. Van Deusen, *William Henry Seward* (New York: Oxford University Press, 1967), 369.

33. Seward to Bigelow, May 21, 1864, in Bigelow, *Retrospections*, II, 189.

34. Graebner, "Northern Diplomacy and European Neutrality," 67-68; Musser, *The Establishment of Maximilian's Empire in Mexico*, 68; Frederick W. Seward, *Reminiscences of a War-Time Statesman and Diplomat* (New York: G. P. Putnam's Sons, 1916), 217.

35. *House Reports*, 38th Congress, 1st session, No. 129, 10.

36. Serge Gavronsky, *The French Liberal Opposition and the American Civil War* (New York: Humanities Press, 1968), 15, 26-28, 165-176. Napoleon encountered opposition to the intervention in Mexico within his own administration. Henri Mercier made no secret of his disapproval and even Drouyn de l' Huys confided to Seward in 1871 that he "had always been opposed" to the Mexican expedition, but that the attack on Puebla and the arrangements with Maximilian had all been made before he took office. Daniel B. Carroll, *Henri Mercier and the American Civil War* (Princeton: Princeton University Press, 1971), 288; John L. O'Sullivan to Olive R. Seward, September 14, 1871, Seward MSS.

37. *House Reports*, 38th Congress, 1st session, No. 129, 10.

38. Bigelow to Seward, May 3, 1864, in Bigelow, *Retrospections*, II, 180.

39. Chicago *Tribune*, April 7, 1865. The letter from Paris is dated March 14, 1865.

40. Bigelow to de la Montagnie, May 2, 1864, in Bigelow, *Retrospections*, II, 176.

41. Speech entitled "Relations with Mexico, and the Continental Railroad," February 8, 1953, in George E. Baker, ed., *The Works of William H. Seward* (New York: Redfield, 1853), III, 655.

42. This is the less frequently noticed portion of Seward's famous speech at St. Paul, Minnesota on September 18, 1860. George E. Baker, ed., *The Works of William H. Seward*, (Boston: Houghton, Mifflin and Co., 1884), IV, 333.

43. Seward to Thomas Corwin, June 6, 1861, Diplomatic Instructions, Mexico.

44. Seward proposed lending Mexico enough money to satisfy her European creditors, aware that the Mexican government would be no more able to meet this new claim than any of the previous ones. The collateral for the loan would be the territory comprising the states of Lower California, Chihuahua, Sonora and Sinaloa, to be annexed by the United States if Mexico could not repay the loan within six years. Seward to Corwin, August 24, 1861, Diplomatic Instructions, Mexico. See also Corwin to Seward, July 29, 1861, Despatches from United States Ministers to Mexico.

45. Seward, *Reminiscences of a War-Time Statesman and Diplomat,* 217; Dayton to Seward, August 21, 1863, *Diplomatic Correspondence,* 1863, part II, 689.

46. Senate speech entitled "Continental Rights and Relations," January 26, 1853, in Baker, ed., *Works of Seward,* (1853 edition), III, 613.

47. Bancroft, *The Life of Seward,* II, 426. On September 26, 1863 Seward had declared "[we] have neither a right nor a disposition to intervene by force in the internal affairs of Mexico, whether to establish and maintain a republic or even a domestic Government there, or to overthrow an imperial or a foreign one, if Mexico chooses to establish or accept it. The United States have neither the right nor the disposition to intervene by force on either side in the lamentable war which is going on between France and Mexico." Seward to Dayton, Diplomatic Instructions, France.

48. Seward to Bigelow, May 5, 1864, in Bigelow, *Retrospections,* II, 183.

49. Letter dated February, 1863, File drawer D, Mexico folder, Seward MSS.

50. Dayton to Seward, May 8, 1863, Despatches from United States Ministers to France. In justification, Seward argued that such a measure would also prevent smuggled arms from reaching the Confederates. Seward to Dayton, May 23, 1863, *Annual Message of the President and Diplomatic Correspondence,* 1863, part II, 740.

51. Nicolay and Hay, *Lincoln;* IX, 104-110; Williams, *Lincoln and the Radicals,* 301-302.

52. William B. Hesseltine, *Lincoln's Plan of Reconstruction* (Tuscaloosa, Alabama: Nottingham-SWS, Inc., 1960), 96, 99-100.

53. This figure was not changed to a more democratic fifty percent until May 4, 1864. Herman Belz, *Reconstructing the Union* (Ithaca, New York: Cornell University Press, 1969), 210.

54. *Congressional Globe,* 38th Congress, 1st session, 2080.

55. Belz, *Reconstructing the Union,* 237-239; George W. Julian, *Political Recollections* (Chicago: Jansen, McClurg and Co., 1884), 247.

56. James G. Blaine, *Twenty Years of Congress* (Norwich, Connecticut: The Henry Bill Publishing Co., 1886), II, 42. Gideon Welles, Secretary of the Navy, discerned a political object more sinister than a mere rebuke: "In getting up this law [the Wade-Davis bill] it was as much an object of Mr. Winter Davis and some others to pull down the Administration as to reconstruct the Union. I think they had the former more directly in view than the latter." Gideon Welles, *Diary of Gideon Welles* (Cambridge, Massachusetts: The Riverside Press, 1911), II, 95, August 6, 1864.

57. Sumner declared that he feared leaving the freedom of blacks "left to float on a Presidential proclamation." Charles H. McCarthy, *Lincoln's Plan of Reconstruction* (New York: McClure, Phillips and Co., 1901), 272.

58. Julian, *Political Recollections*, 246; Blaine, *Twenty Years of Congress*, II, 43.

59. Albert G. Riddle, *Recollections of War Times* (New York: G. P. Putnam's Sons, 1895), 305.

60. John A. J. Cresswell, ed., *Speeches and Addresses of Henry Winter Davis* (New York: Harper and Brothers, 1867), 422, 418.

61. The day after the Wade-Davis Manifesto was issued, Gideon Welles sourly confided to his diary: "There is . . . an infinity of party and personal intrigue just at this time. A Presidential election is approaching, and there are many aspirants, not only for Presidential but other honors or positions. H. Winter Davis has a good deal of talent but is rash and uncertain. There is scarcely a more ambitious man. Welles, *Diary of Gideon Welles*, II, 95. Davis himself commented "It is the general opinion that Lincoln is past saving and that our salvation is to be found in some such step" as dumping Lincoln. He invited Zachariah Chandler to meet with other dissidents on August 30 at the house of David Dudley Field and participate in laying plans for a convention in Cincinnati on September 29 "to get rid of Mr. Lincoln and name new candidates." Davis to Chandler, August 24, 1864, Chandler MSS, Library of Congress. Count Adam Gurowski, a Polish emigre, observed in his diary that the great majority of the Republican members of Congress opposed the renomination of Lincoln. Adam Gurowski, *Diary 1863-1865* (Washington: 1866), III, 60, 67, 69, 86. Also Thurlow Weed to William H. Seward, August 10, 1864, Seward MSS.

62. "As for the election of Lincoln, I never had a doubt of our ability to elect him by an overwhelming majority. I only wish we could do as well for a better man. But to save the nation I am doing all for *him* that I possibly could do for a better man. Were it not for the country there would be a poetical justice in his being beaten by that stupid ass McClellan, who, he persisted in keeping in the service against all that you and I, and Andy Johnson could do to have him removed and a live man [put] in his place. That stupid wilfulness cost this nation more than a hundred thousand men, as you well know and when I think of these things, I can but wish the d-l had Old Abe." Ben Wade to Zachariah Chandler, October 10, 1864, Chandler MSS.

63. David Donald, *Lincoln Reconsidered* (New York: Vintage Books, 1956), 114; Williams, *Lincoln and the Radicals*, 330-331. Zachariah Chandler, who had more to do with persuading Lincoln to remove Blair than anyone else, inspired Ben Wade's admiration and gratitude: "I dont see how you effected it, except it was by working on Old Abe's fears, . . . he was governed by a fear that Blair's continuing might affect his re-election." Wade to Chandler, October 2, 1864. See also Chandler to his wife August 27, September 8 and September 24 and Austin Blair to Chandler, September 15, 1864, all in the Chandler MSS. Wade's letter contained a humorously wistful note: "he [Blair] has gone and I thank God for it. I only wish Seward was with him." *op. cit.*

64. Welles, *Diary of Gideon Welles*, II, 202.

65. *Ibid.*

66. Chicago *Tribune*, April 5, 1864.

67. See William B. Hesseltine, *Lincoln and the War Governors* (New York: Alfred A. Knopf, 1948) for a detailed exposition of the expansion of federal power at the expense of the states.

68. Belz, *Reconstructing the Union*, 238.

69. In Sept. 1864 Gen. Sherman was facing a crucial military situation. Lincoln faced an equally critical political situation. The President wrote the General: "Any thing you can safely do to let [your] soldiers, or any part of them go home, to vote at the state election, will be greatly in point. . . . This is, in no sense, an order." Donald, *Lincoln Reconsidered*, 79-80.

70. Williams, *Lincoln and the Radicals*, 321.

71. Creswell, ed., *Speeches and Addresses of Henry Winter Davis*, 583.

72. Seward to Bigelow, June 6, 1864, in Bigelow, *Retrospections*, II, 191.

73. Hans L. Treffouse, *The Life of Benjamin F. Wade* (New York: Twayne Publishers, 1963), 369, n. 20.

74. Edward Bates, *The Diary of Edward Bates*, edited by Howard K. Beale (Washington, D.C.: Government Printing Office, 1933), 523.