INSTITUTIONS AND POLITICAL COMMITMENT:

A New Political Economy of the American Civil War Era

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To Susie
A NOTE TO THE READER

This manuscript is intended as a discussion draft to solicit comments, criticism, and suggestions. Because the project remains far from complete, some of the arguments are tentative, and a large number of crucial topics have yet to be discussed or adequately considered. The most complete aspects of the manuscript concern the role of political institutions and their pivotal influence on politics and policy choice during the antebellum era. As this provides the kernel of my contribution, I have begun to circulate the manuscript, incomplete as it is.

The manuscript was largely written in the late 1980s, with chapters 1-8 completed by 1991. Chapters 9-10 were written in 1994-96. I had intended to complete and publish the manuscript, but becoming chair of the department in 1996 took me away from the project. I have revised the manuscript for exposition in the intervening years, but have not been able to complete it.

This work is far from complete and fails to represent my current thinking on a number of critical issues. It omits, for example, the systematic integration with the literature that I had planned (the introduction, for example, emphasizes the literatures in which I began, the new economic and political histories of the antebellum era, to the expense of traditional historians). Many citations remain incomplete or missing.

I wish to make two points about how I intend to revise it.

(1) First, this draft does not emphasize what I now consider the major contribution of my approach to the historical debate. The manuscript’s design reflects my conception of the problem in the 1980s, before I had read much of the comparative literature and before I felt I was on top of the political and economic problems of antebellum America.
To this end, I plan to refocus the discussion around four main contributions to the historical debate:

(A) First, many politicians raised the issue of slavery in part for political reasons. Antislavery proposals did not arise solely as a matter of principle, though there were always those who did so out of principal.

(B) Second, my approach provides a new way of making sense of the 1850s. I emphasize the central importance of sectional balance, which provided the South with a veto in the Senate. Balance was broken in 1850 with the admission of California. Part IV provides a provisional explanation for why Southerners participated in the compromise rather than blocking this measure that broke the balance between the sections.

To the extent that the discussion covers the 1850s, however, it does so from the perspective of explaining the admission of California rather than a systematic explanations of the 1850s. The revised treatment will instead emphasize a more important point: the Democrats’ attempts to reinstate sectional balance help explain some of the most puzzling events of the 1850s, notably, the Democrats’ two big political disasters, the 1854 Kansas-Nebraska Act repealing the Missouri Compromise and the 1858 attempt to admit Kansas as the sixteenth slave state.

(C) Third, the revisions will emphasize that my approach provides a synthesis between the new political history (NPH) and traditional historians, as I outline in Weingast (1998). These two sets of scholars have disagreed for three decades. The revised treatment will allow me to account for all the phenomena emphasized by the NPH without accepting their conclusion that slavery was secondary. Instead, I show how to integrate their findings with the traditional historians emphasis on slavery as the principal cause of sectional conflict. I will also discuss the importance of party and especially the institutional foundations of the Democratic party’s success during this second party system.

(D) Finally and again following Weingast (1998) I plan to raise the comparative politics question about democratic stability in the antebellum United States. I show how the credible commitment to slavery inherent in the balance rule underpinned American democratic stability; and that the demise of balance helps explain the failure of American democracy. The emphasis on credible commitments allows this case to speak to the general question of the consolidation of democracy (never adequately defined) in the comparative literature. I tentatively plan to raise these issues at the end of the revised book.
(2) The manuscript omits any discussion of the late 1850s and the secession crisis, the subject of my current research. I have important new results on this crisis, and I may make it a separate book.

Finally, I apologize for the confusing state of the figure; e.g., that some of the figures are embedded in the text and some are at the end of the manuscript.

Despite this MS’s flaws, I hope you will find some value in it.
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By Barry R. Weingast

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PART I: PRELIMINARIES
Chapter 1. Introduction

After decades of relative peace, sustained political conflict broke out between the sections in the 1850s. How do we explain this massive and relatively sudden political change when the relevant underlying economic, ethnocultural, and political variables changed only incrementally?

To help focus our attention, I pose two specific questions:

First, why did Southerners, previously willing to accept political outcomes under the Constitution, suddenly decide that they could no longer do so?

Second, in what way did the Republican party pose a threat to the South? In 1860, the Republicans were relative moderates, seeking to contain slavery to existing states rather than to abolish it, so what did the South have to fear?

My answer to these questions rests on the findings of two literatures, both with roots in the social sciences: the new political history, and the new economic history.¹

The new political history. The "new political history" (NPH) revolutionized the study of the second party system (circa 1828-52) and its demise in the 1850s. For our purposes, four of its findings are of central importance. First, the new political historians maintain that traditional historians have over-emphasized the importance of national politics. They

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¹A massive historical literature exists on this topic, emphasizing a range of themes. A few of the important classics include Craven (1957), Foner (1970), Nevins (1947, 1950), Potter (1976), and Randall and Donald (1961). A more recent contribution, McPherson (1988), also draws elements central to the literatures discussed below. Much of what follows draws on this literature, and my larger study aims at a synthesis among several subsets of this literature with those studied here.
argue instead that most individuals cared far more about local politics than remote events in Washington. Moreover, ethnocultural issues — those reflecting concerns over differences in religion, ethnicity, and nationality — were far more central to the interests of most voters than were sectional ones (Gienapp 1987, Holt 1978, Silbey 1965, 1985). 2

Second, though punctuated by specific crises, the second party system was largely one of stable policies and coalitions. The main national political issues — internal improvements, banking, tariffs, and federal land policy — were economic, not sectional. Third, proponents of the NPH emphasize that a major virtue of this system was that it suppressed regional issues (e.g., Holt 1978, Silbey 1985). Slavery was not a persistent electoral issue, and the tensions it raised were submerged under the "shrine of party" (Silbey 1967). Both parties were intersectional coalitions, and these scholars argue persuasively that the party system itself helped prevent the emergence of a purely sectional coalition. To quote Silbey:

National political parties played a primary role in organizing, shaping, and giving life to antebellum politics, not as reflectors of sectional forces but as direct and persistent alternatives to them. . . Partisan, not sectional, perspectives . . . controlled the American political landscape. . . (Silbey 1985, xv, emphasis added).

Fourth, these scholars tie the rise of a purely sectional party to the demise of the second party system and, with it, the forces that suppressed regional impulses. They also argue that the second party system's demise rested more on ethnocultural issues than on sectional issues; and that there was nothing inevitable about the rise of the Republican party (Gienapp 1987, Holt 1979, and Silbey 1982b).

Although the NPH's evidence about ethnocultural issues has forced traditional historians to confront the four phenomena listed above, the

2These scholars also stress that there was no continuous building of tensions between the sections from the middle of the 1840s until the outbreak of the Civil War (Silbey 1964, Swierenga 1975; see also Poole and Rosenthal 1991). During the antebellum era, slavery was not a major ethnocultural issue, at least in the North.
NPH has not succeeded in displacing the traditional approach, largely because it fails to provide a satisfactory explanation of the rise of sectional tension and the resulting Civil War. If sectional issues were secondary in comparison to ethnocultural issues, what explains the outbreak of a massive and costly war? No approach has integrated the NPH view with that of traditional historians to the satisfaction of both groups.³

**The new economic history.** A contemporary of the NPH, the new economic history (NEH) offers a rich literature on the antebellum economy. This literature arose nearly independently of both the NPH and traditional historiography. Many of the literature's findings are central to understanding the critical events of the antebellum era. First, these scholars show that slavery was economically viable and that, on the eve of the Civil War, it had never been as profitable nor the outlook so positive. This literature puts to rest the notion that slavery was a dying and decaying system and that, therefore, impending economic disaster drove Southerners to desperate political acts and Civil War (Fogel and Engerman 1974).⁴

The NEH has undermined another hypothesis about the Civil War. Some scholars have argued that the economic survival of slavery necessitated expansion (e.g., Genovese 1965), thus providing an explanation for the surprisingly persistent quest for new territory by Southern slaveholders from the mid-1840s onward. By showing that expansion actually hurt slaveowners in the Old South, economic historians have demonstrated that no economic imperative motivated territorial expansion (Passell and Wright 1972).⁵ If slaveholders in the Old South were to act solely on the basis of the economic effects, they would have opposed expansion. But if Southerners were not responding to their narrow economic self-interest, were they acting irrationally? Are their

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³McPherson (1988) and Fogel (1989) provide important steps toward such a synthesis.

⁴To indicate slaveholder expectations about the future, Fogel and Engerman designed an "index of sanguinity." "Slave prices and plantation profits were never higher than on the eve of the Civil War" (Fogel and Engerman 1974, ***). See also Fogel's (1989, pt. I) more recent treatment.

⁵Although Kotlikoff and Pinera (1977) and Schmitz and Schaefer (1981) provide some qualifications, their findings do not alter the following conclusions.
actions better explained by psychological factors, such as paranoia, as some have suggested?

Finally, economic historians have estimated the aggregate value of slaves in 1860 to be on the order of one year's GNP for the entire nation (Goldin 1973, Lee and Passell, 1979, ch. 10). For our purposes, the main implications of this magnitude are twofold. First, even small changes in rights in slaves would have had large aggregate effects on the Southern economy. Slavery was sufficiently interwoven with Southern society, both economically and socially, that adverse policies would have had significant, negative consequences for most Southern whites, not just slaveholders (cites). Second, the enormous value of Southern slavery made it infeasible to compensate slaveholders for emancipation via a direct, one-time transfer. Compensated emancipation would therefore have had to involve a mechanism covering several years, such as long-term bonds (see Goldin 1973). Yet compensated emancipation alone could not solve the sectional problem. Long-term bonds would have merely translated the South's problem from one of trusting the North to respect rights in slaves to one of trusting them to honor expensive bonds. Because hostility toward slavery would have inevitably carried over to the politics of making payments on the bonds, the mechanism would have raised significant problems of political uncertainty.

The economic prosperity emphasized in this literature underscores a striking puzzle about the disruption and Civil War: why did the sections fight at all? The growing, integrated economy provided enormous financial incentives to maintain political cooperation. Any political explanation must account for why individuals would pursue actions leading to disruption if disruption was so economically costly. Even more puzzling, economic historians seem to have demonstrated that no direct economic consideration motivated the sudden political disruption.

Until recently, the NEH literature did not contain a serious attempt to address the Civil War. Indeed, some scholars recognized that even the best characterization of the antebellum economy proved insufficient to

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*In contrast, at emancipation the value of slaves relative to GNP was about five percent for Great Britain (Fogel 1989 **).*
explain the sudden and dramatic political events of secession followed by war. For example, in his elegant integration and survey of the literature, Wright (1978: 144) observes that, “the task of explaining the apparently irrational policies of secession and the regional aggressiveness that led up to secession remains.” What is missing is the link between the economic processes studied in NEH and the larger political drama comprising the stability and fall of the second party system and the growth of sectional tension in the 1850s.

**A synthetic approach**

The NPH and NEH findings represent my point of departure. They offer essential components of an explanation for the stability of antebellum politics, the demise of the second party system, and secession following the election of Lincoln. And yet the obvious gap between them implies that they remain inadequate for answering questions about political disruption and civil war. Each focuses on a different set of phenomena, and we have no clear way to integrate them into a unified, compelling explanation for disruption and Civil War.

The disjointed nature of these literatures reflects more than the academic tendency to specialize by discipline; it reflects precisely the gulf in theory that must be bridged to address the political controversy over slavery and its relation to a series of other important concerns of individuals.

The purpose of this book is to provide a new explanation for the political disruption of the late 1850s. It does so by developing a new

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7 In a major departure from the traditional limits of the NEH, two recent works focus on the politics of slavery. Fogel (1989) emphasizes ideological factors along with economic change. Ransom (1989) focuses on the roles of the territories and their implications for maintaining equal representation between free and slave states in the Senate, allowing each a veto over national policy. Both of these analyses provide important insights into the changing nature of antebellum politics, as emphasized below (see especially Weingast 1994). Yet, missing from both is an explicit theory of politics. For Fogel, how did the ideological changes work their way through the political system? Is the shift in preferences and ideology alone a sufficient explanation for these changes in politics? For Ransom, how did the changing opportunity cost of territory result in a change in political coalitions and the formation of the Republican party?
approach to political economy that bridges the gap between the NEH and the NPH and between those social science literatures and traditional historiography. The hallmark of the new histories was that they drew on the frontiers of economics and political science. To integrate them, I draw on new developments in each field: from economics, the theories of credible commitment, property rights, and games; from politics, the new field of positive political theory (PPT). In combination, these techniques afford a greater understanding of the interaction between economics and politics and provide new insights into the major political events of antebellum America.

This approach requires beginning with an element underemphasized in the new histories. Neoclassical economics takes property rights as given. Only recently have economists and political scientists turned their attention to the choice and stability of property rights. Because the political system is the principal source of rights and their stability, a theory of economic rights necessarily includes a model of political choice.

Building on the perspective developed by Riker (1982, ch 9), my approach shows that rights in slaves were not carved in granite but were subject to considerable uncertainty due to the vast disparity between the South's and North's interest in maintaining them. If these rights were accepted and seemingly uncontroversial for a substantial period, it was because they were institutionally protected. Put simply, stable rights in

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9Beginning with the Constitution and extended over time, a series of institutions kept slavery from becoming a major political issue. Moreover, this was not an accident, but the result of an explicit set of political exchanges by which a sufficient number of Northerners joined Southerners to provide strong protection for slavery against future encroachments. In exchange, the South cooperated with these Northerners on other policy dimensions. See Finkelman (1981), Lynd (1968), North and Rutten (1987), Riker (1987), Roback (1991), Weingast (1994), and Wieck
slaves is part of the phenomena to be explained. Understanding southerners’ motivations in the late antebellum era requires a deeper understanding of both the mechanisms protecting these rights and their limits.

My explanation of the long period of stability of rights in slaves followed by a period of contention and then secession is fourfold:

(1) Rights in slaves had long been protected by a series of credible commitments given by the North. As long as these commitments remained secure, so too did rights in slaves.

(2) One of the most confusing aspects of the controversy over slavery is that it focused on the institutions providing the commitment to rights in slaves, not on the rights themselves.

(3) The most important institution used for this purpose was the balance rule affording each region equal representation in the Senate and hence granting each a veto power over national policymaking.

(4) The Republican threat to the South emerged from the breaking of the balance rule in combination with the rise of a party explicitly hostile to slavery that might capture the centers of national political power.

Let me briefly expand these claims. The credible commitment protecting slavery combined with a set of agreements between the sections that attempted to prevent domination of the national government by either region. With important exceptions, these protected slavery until 1850. Widely understood at the time, balance in the Senate was known as "sectional equilibrium" (Carpenter 1930; see also Nichols 1963 and Potter (1977).
The commitment resulted in a period of relative harmony between the sections punctuated by intermittent crises that focused on the territories and the extension of slavery.

Because sectional balance in the Senate served as a credible commitment to each section that the other would not dominate the federal government, it vastly complicated all issues concerning the territories. The need to maintain sectional balance implied that a territory's "domestic institutions" and its application for statehood could not be considered solely on its merits or the desires of its inhabitants. Instead, these considerations had to be weighed alongside the issue of balance. The crises over the territories, particularly those over Missouri in 1819-1820, the Mexican Cession in 1846-1850, and Kansas and Nebraska in 1854, erupted in large degree over concerns about maintaining balance between the sections. In each of these cases, Northerners feared among other things the potential dominance of slaveholding regions over the national government; Southerners, about their ability to protect their "property and their institutions." The episodic but persistent expansion of the nation implied that the commitment to maintain rights in slaves could be preserved only if both sections grew in parallel.

Thus the South's apparent territorial imperative of the late antebellum era did not arise because the economics of slavery necessitated expansion, but because slavery's political survival necessitated expansion. The political battle over the future of slavery necessarily focused on the territories. To maintain balance, the South simply had to grow in parallel with the North.

This description provides the general outline of my approach, leaving a host of important, subordinate questions to be addressed. I mention three here. First, if sectional balance provided Southerners their principal institutional means of protection, why did they give it up in the Compromise of 1850?

Second, in one sense, the Republicans in 1860 were moderates. Unlike the more radical abolitionists, they did not advocate abolition and instead embraced a policy of containment, that is, of limiting slavery to existing states. Because containment did not represent an attack on slavery per se, merely its extension to the territories, its potential impact on the
South has seemed relatively modest to many observers in the late twentieth century. In other words, where was the Republican threat?

Third, why did Southerners react in 1860 with secession? Were secession and war rational? And why couldn't the sections have found a way out of the crisis, much as they had for earlier crises? These and other questions concern us below.

An outline of the argument


Part III, "The Second Party System, 1820-1850," contains three chapters. Chapter 4 begins the application of my approach to antebellum politics, showing why, absent some form of credible commitment preventing policy change, the issue of slavery presented a genuine threat to the South. Chapters 5 and 6 extend the model. The former explains how the balance rule in the Senate provided a credible commitment that removed the threat to the South, while the latter incorporates parties and demonstrates the critical role beyond slavery played by the balance rule in national politics. Chapter 7 reports some initial empirical work, suggesting the parallels between the models of chapters 4-6 and political characteristics and events of the period.

Part IV, "Breaking the Balance Rule, the Demise of the Second Party System, and the Republican Threat," turns to the political changes in the 1850s. Chapters 8 and 9 turn to the question of the second party system's demise. The first describes the underlying economic, political, and demographic transformations over this period; the second derives comparative statics results showing the political and policy implications of these changes. Chapter 10 provides an explanation for why the South participated in the Compromise of 1850, breaking the balance rule and
becoming exposed to political risk from a sectional party hostile to slavery. Chapter 11 provides additional empirical work and evidence supporting my perspective, interpretations, and hypotheses.

Part V (not yet drafted), "Southern Secession and Civil War," will focus on issues concerning the failure of negotiation, secession, and the eruption of war. Three chapters are planned. Chapter 11 will study the political struggle between the unionists and the secessionists during the first round of secession (the election of Lincoln through the winter of 1861), suggesting why the former triumphed in the upper South while the latter triumphed in the lower South. Chapter 12 will focus on various problems of political uncertainty, demonstrating their relevance to this problem. Chapter 13 studies the negotiation process during the secession crisis, emphasizing a three-way struggle among the states of the lower South which had seceded, the states of the upper south, which had not, and the North. It presents striking new evidence about this period, and yields a new interpretation about the outbreak of war.

My conclusions follow.

To help integrate the economic and political analysis of the antebellum United States, this chapter provides a brief description of the economy and polity during the second party system. The discussion suggests how economic specialization generated systematic differences in preferences over national political issues across regions, and how these preferences supported a particular pattern of national coalitions seeking to pursue particular policies. It also emphasizes the importance of gains from political cooperation among citizens and their representatives from different parts of the nation. Chapters 4-5 provide a model of the patterns described here.

This chapter proceeds as follows. Section 1 describes the pattern of regional economic specialization. Section 2 turns to the political discussion, describing central aspects of antebellum American politics. Section 3 integrates the political and economic components, describing the political gains from exchange generated by the pattern of regional economic specialization.

1. The Pattern of Regional Economic Specialization

Economic historians emphasize that by 1830 the United States economy had achieved a significant degree of economic specialization by region\(^{10}\). Specialization reflected several factors, including geography, comparative

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\(^{10}\)North (1961) provided the first clear statement of this thesis from the perspective of the new economic history. The following description also draws heavily on the general treatments in Fogel (1989), Kohlmeier (1938), Lee and Passell (1979), Meinig (1993), Sutch (1982), and Wright (1978); and the following more specific works debating, amending, and extending North's work: Fishlow (1964), Fogel (1964), Gallman (1970), Lindstrom (1970), and Ransom (1967).
advantage, transportation networks, and the growing international demand for Southern cotton.

Three distinct regions emerged: the South, the Northeast, and the Northwest (see map 1). As each region pursued its economic comparative advantage, the nation captured the gains from specialization and exchange (North 1961). These regions came to have distinct identities, patterns of production, and economic and political interests. Southern planters found it more profitable to specialize in growing cotton than to grow cotton and provide the wide range of activities associated with getting cotton to market. Consequently, increasing cotton production fueled demand for Northern import-export services such as shipping, insurance, marketing, and finance. The Northeast thereby facilitated – and profited by – the export of Southern products. Southern demand also helped develop Northern industry and capital accumulation. Over time, the Northeast also began to produce an increasing variety of manufactured goods that substituted for imports. The Northwest, to the extent that it participated in interregional trade, produced foodstuffs shipped south, for example, along the Ohio and Mississippi river systems, and east over the canals, the Great Lake systems, and later, the railroads. In all regions local markets proved a considerable source of economic growth and development (Lindstrom 1971). Of course, economic growth and specialization occurred within a political structure providing strong protection of private property rights, a common national market, and limited national government intervention into markets.¹¹

¹¹North provides the classic statement of regional specialization: "A marked characteristic of the South was that income received from the export of cotton (and sugar, rice and tobacco) flowed directly out of the regional economy again in the purchase of goods and services. The South provided neither the services to market its own exports nor the consumer goods and services to supply its own needs, and had a very high propensity to import. It was the West which provided food for the South and, since the South was the West's major market until the problems of cross-mountain transport had been solved, the growth of the market for western foodstuffs was geared to the expansion of the Southern cotton economy.

"The Northeast provided not only the services to finance, transport, insure and market the South's cotton, but also supplied the South with manufactured goods, either from its own industry or imported and reshipped to the South. Major markets for the Northeast were the South and the West. Both depended, directly in the first
Economic historians also emphasize several features producing a dynamic pattern of growth that at first reinforced the pattern of specialization and trade, but that later changed it. First, growth in international demand for cotton led to the expansion of cotton production in the 1800s, especially in the late teens and during the thirties. At the same time, factor inputs grew, notably population and land utilization (Lee and Passell 1979, chs. **`). Changes in factor productivity were also important for particular industries and sectors (Lee and Passell 1979, ch **`, Rosenberg 1982).

During this period, the "transportation revolution" induced considerable economic change (Taylor 1951; see also Fogel 1989, North 1961, and Ransom 1975). The rise of canals and, later, railroads dramatically lowered the cost of shipping bulk goods from the Northwest to Eastern markets, fostering the rise of east-west trade in the North. People and manufactured products, such as farm implements and shoes, flowed west. The transformation in economic relations also had important political consequences, as discussed below.

As the great farm regions in the Northwest opened up, its farmers outcompeted those in the Northeast for many products, creating a surplus of labor in the Northeast. Some of these laborers migrated westward while others joined a labor pool tapped by nascent manufacturers. Each new east-west transportation link increased the area and extent of land that could profitably be farmed, implying, in turn, that interregional and, later, international trade grew. The growing transportation network provided
increasing opportunities in the West for migrants, increased land under production, and hence increased exports to the other regions.

Growth did not simply expand the system without consequences, however. The faster population growth in the Northeast, fanned by the high rate of European immigration after the mid-1840s, combined with declining transportation costs to reorient the Northwest from an economy whose traded goods flowed primarily south along water to one in which most traded goods flowed east along canals and railroads.

2. The Polity

Paralleling this pattern of economic development and specialization was the formation and stability of a pair of national political parties known as the second party system. Two parties, the Jacksonian Democrats and the Whigs, competed for voters at both the local and national levels. Historians in the NPH tradition emphasize the importance of local issues. National parties during this period are best considered as federations of local organizations formed to attempt to capture all levels of government.

The two parties offered competing visions of the future. At the national level, the principal issues fell into two categories. The first category concerned economic issues. Specific policy questions included: (1) Should tariff rates be set solely to raise revenue for the national government or should they be set higher to protect domestic industries? (2) Should the federal government finance internal improvements such as roads, canals, and, later, railroads? (3) Should the federal government provide centralized control over banking? (4) Finally, how should the public lands be distributed? Should the price be set high to raise revenue for the federal government for other purposes or low to subsidize migration and growth? The second set of issues concerned the future of slavery. Although direct confrontations over slavery were episodic, slavery was never far below the surface. The critical policy questions concerned whether new territories would be free or slave.

The pattern of economic specialization described above provides considerable insight into the second party system. It implied that each
region had distinct preferences over the major political issues. Each region exhibited considerable variation, of course, but each also showed predominate tendencies. Most Southerners opposed high tariffs and internal improvements, both of which benefitted primarily Northerners or subsets of Northerners at their expense (see table 2.1). Southerners also tended to be hostile to a national bank, particularly one dominated by Northeastern bankers. With respect to land policy, they had mixed motives, as will be discussed below. Finally, Southerners advocated the expansion of slavery into new territories. They also favored strong limits on federal government, allowing them the local political freedom to maintain their peculiar institutions.

The Northeast contained a relatively high concentration of individuals with nearly the opposite preferences from those of the South. These individuals favored high tariffs to protect their commercial and manufacturing interests. They advocated the federal promotion of internal improvements for two reasons: first, to enhance communication and commercial links with the other regions – notably, to open up east-west trade routes; and second, to increase the demand for their capital. The Northeast also opposed cheap land policy because it encouraged migration that raised labor prices (Passell and Schmundt 1971). By and large, this region favored a strong national bank and opposed slavery.

In between these two opposed interests stood the Northwest, the pivotal player in the political system. As Kohlmeier (1938) observed, after the mid-1820s, the Northwest became the "keystone of the arch of the Union," allowing it to mediate the political conflict between the Northeast and the South. This region favored low tariffs. Moreover, it strongly supported internal improvements that increased its economic links with the East. These links not only lowered transportation costs to eastern markets, but increased the western flow of migration. The Northwest was largely hostile to a national bank, and favored cheap land policies. These Northerners also opposed slavery and, increasingly over time, its expansion.

Undoubtedly, this picture is too simple. Parties, for example, organized the political life of most individuals, and therefore had considerable impact on the political demands expressed, both locally and
nation. Southern Whigs such as Henry Clay favored a strong federal presence and, with the exception of slavery, had preferences on many issues close to those of the Whigs in New England. Similarly, the Democrats had a strong presence in the Northeast, and the Whigs in the Northwest. In spite of its overly sharp distinctions, however, the above picture captures the essence of each region's national political stands during the early second party system. Chapter 7 provides considerable empirical evidence supporting this claim.

3. The Political Gains from Exchange and The Inception of the Second Party System

One of the principal roles of the political system is to establish an institutional framework that facilitates bargaining and negotiation among the large variety of interests in the nation. Political institutions provide the means by which policies are devised and implemented to capture the gains from economic cooperation as a nation. These institutions also serve to resolve conflicts among contending groups or regions.

Many of the second party system's national politics concerned how to distribute a portion of the valued created by in the system of economic and political cooperation among the regions. Tariffs, for instance, would largely benefit the Northeast at the expense of the South and Northwest; cheap land would benefit the Northwest and the Southwest. Moreover, because most citizens favored local economic and political freedom, they favored institutions that limited the scope of the national government.

Chapter 3 demonstrates that there is no unique way to resolve conflicts of interest over the policy questions before the national government. Political institutions strongly affect their resolution. Although these conclusions await development in the next chapter, their logic is easily understood in the current context. Consider two distinct ways of resolving national policy questions. First, suppose that the major national

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12The approach to political exchange explored in this section is based on that developed in Weingast and Marshall (1988) and Weingast (1990); see also Buchanan and Tullock (1962) and North (1990).
As political historians emphasize, a complete understanding of the genesis of the second party system requires a dual analysis. As national parties were federations of local party organizations, a more complete analysis would have to discuss party issues of the second party system were considered one at a time and resolved by national majorities. The outcome would likely have been: cheap land policy but no tariff or central bank (with the Northwest and South opposing the Northeast), internal improvements (with the Northeast and Northwest opposing the South), and, at best, limited federal support for slavery with no majority in favor of its expansion (the Northwest and Northeast opposed to the South).

Second, suppose that the issues would have been considered jointly. Because there existed substantial gains from political cooperation across regions, coalitions were likely to form in which one region made concessions over an issue of lesser importance in exchange for another region's support on the issue(s) about which it cared more. Chapter 4 discusses the means by which these exchanges were made and preserved; both parties and political institutions proved essential.

During the mid-1820s two nascent groups of political interests competed for voters at the national level. Henry Clay and John Quincy Adams favored a strong federal presence in the economy, with high tariffs, a central bank, and support of internal improvements. Andrew Jackson, a Southerner and a Westerner holding strong views about states' rights, sought a limited role for the national government in the economy, supporting cheap land and opposing high tariffs, a central bank, and federally financed internal improvements. Other expressions of potential exchange abounded in the late 1820s and early 1830s. John C. Calhoun of South Carolina suggested that the southeast would support a policy of cheap land in exchange for the Southwest's and Northwest's opposition to tariffs. Daniel Webster attempted to induce the Northwest to join the Northeast in support of a strong federal government, promoting internal improvements financed via high tariffs. The period of uncertain inter-regional political partnerships prior to the formation of the second party system represents the sequential process of coalition and party formation – that is, the search for long-term partnerships with a chance for capturing majority control of Congress and the presidency.13

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13As political historians emphasize, a complete understanding of the genesis of the second party system requires a dual analysis. As national parties were federations of local party organizations, a more complete analysis would have to discuss party
Although Adams became president in 1824, implementing his program proved elusive. His abortive efforts were followed by the two terms of the Jackson presidency that produced the political underpinnings of a new, stable majority coalition, the Democratic party. The Democrats dominated national policymaking throughout the second party system, allowing them by and large to maintain policies favoring agrarian expansion. Their opponents, the Whigs, advocated a greater role for the federal government in commercial and economic development, but they rarely had the opportunity to implement their programs.

The political exchange approach provides the basis for understanding the central foundations of the Democratic party, which dominated the second party system. Southerners, eager to further their economic interests, including the future of their slave economy, were willing to cooperate over economic issues. In exchange, many Northerners, predominantly in the Northwest but with considerable strongholds throughout the Northeast, were willing to agree to ignore the issue of slavery in order to further their economic interests.

Parties and institutions also proved critical to the relationship between national and local politics; in particular, maintaining a national government limited in scope. Most individuals – whether Democrat or Whig – favored local political and economic freedom, and therefore sought limits on the ability of the national government to intrude in local issues. These limits required restricting the national government to policies of truly national concern, such as national defense and the maintenance of the common market. The problem, as always, was giving the national government sufficient power to accomplish these tasks without allowing it to go beyond them.

Maintaining limited national government reflected agreement by individuals and political organizations across the nation on mutual self-restraint: "if you'll agree to limits to your ability use the national government to your advantage, I'll agree to limits to mine." Reflecting formation within each state (e.g., as in McCormick 1966).

As I argue elsewhere, this property of preferences played an enormous in maintaining the Constitution during the antebellum era, though this is not widely recognized. Individuals across the United States could not agree on what the federal
preferences, both parties advocated limits on the national government. They differed in their views of these limits, but such differences within a relatively well-defined set of bounds, largely concerning the role of the federal government in promoting the economy. Moreover, the political dominance of the Democrats, who favored stricter limits than the Whigs, ensured a national government limited in scope.

The institutionalized exchange underlying the Democratic party not only showed a surprising durability as the economic and political interests of the various regions evolved, but allowed the party to dominate national politics during this era. From the election of Jackson to the election of Lincoln, the Democrats consistently outcompeted the Whigs, holding each of the House, Senate, and presidency between two-thirds and three-quarters of the time. The Democrats held united government — that is, the presidency and both houses of Congress — in eight of sixteen Congresses during this period while the Whigs held it only once. As a consequence, Democrats dominated national policymaking, as they were able to initiate and fine-tune their program during periods of united government and, through their constant control of at least one branch, to veto attempts by the Whigs to alter policy during periods of divided government.

Nonetheless, a generation after Jackson, the Democratic coalition was proving hard to maintain. Exchanges that are worthwhile under one set of circumstances cannot survive all possible changes, and the dynamics set forth by American economic and political growth strained the second party system as the interests of various regions evolved. By the early 1850s, there existed substantial pressure for a new set of bargains. Before modeling those changes and their implications for policy, however, we first need a more substantial basis for understanding the operation and durability of the second party system.
PART II: PPT AND THE FOUNDATIONS OF POLITICAL CHOICE
Chapter 3. Winsets, Discontinuous Political Change, and Durable Political Decisions

Democratic government allows voters to replace today's representatives with new ones dedicated to alternative principles and policies. The advantages of this system are obvious. The threat of removal constrains the divergence between the actions of political officials and the preferences of the electorate. And yet democracy is not without its liabilities. Because today's political actors cannot bind future ones, democratic societies have a limited ability to provide their policies with durability (see Moe 1989, McNollgast 1989). Democratic governments by their very nature generate *political uncertainty* about future policies (Przeworski 1991). The entire range of public policy may in principle be altered, including: property rights; the relationship between the government and markets; and political, economic, and civil rights (Moe 1989, Przeworski 1991, Riker 1982, Riker and Weingast 1988, and Weingast 1994). Majority rule alone provides an inadequate foundation for political and economic stability. Put another way, the stability of rules, rights, and expectations inherent in the rule of law does not derive from majority rule and democracy alone.

The many sources of demand for stability imply that citizens and their political representatives will seek ways of providing it. This holds both at the level of policy choice under the constitutional rules and at the broadest, constitutional level that sets those rules. Political institutions provide the principal source of this stability\(^{15}\). Because they in part determine the incentives faced by political actors, political institutions affect political choices. Judicious institutional choices can thus provide durability not only to the boundaries of political action but to policies chosen within those boundaries.

\(^{15}\)This is a major theme of the recent PPT literature (e.g., McNollgast 1989, Moe 1989, Riker and Weingast 1988, Weingast 1994, Weingast and Marshall 1988); however, the point is much older, as Hayek's (1960) classic attests.
This chapter provides a guide to understanding the operation of political institutions based on Positive Political Theory (PPT). A new approach to political stability and policy change, PPT will prove surprisingly useful for understanding the stability and breakdown of the second party system, Southern secession, and the coming of the Civil War. Developing this necessarily entails a certain amount of abstract theory, but I assure the reader that ploughing through it will be worth the effort.

This guide to PPT proceeds as follows. Section 1 provides a non-technical summary of the basic results. Section 2 turns to the winset analysis of legislative choice, an abstract approach to studying how political institutions interact with public opinion to determine policy choice. Section 3 derives the main results about discontinuous political change, while section 4 applies them to the partisan era of antebellum politics. Section 5 discusses the role of political institutions and the constitution for political stability. Finally, the chapter ends with a discussion in section 6 of the implications of PPT models for national policy choice.

1. A Non-Technical Summary of the Results

One of PPT's principal lessons is that, on the basis of public opinion alone, majority-based voting systems have no natural resting place or "equilibrium." In general, no policy commands a majority against all others, and consequently, any status quo is potentially replaceable\(^\text{16}\). Four

\(^{16}\)The logic of this result is easy to see in the context of the "divide the dollar" game where three individuals must use majority rule to decide how they will split a dollar among themselves. To see that no proposal commands a majority against all others, suppose that two individuals have agreed on some split of the dollar, S to the first and 1-S to the second. Any proposal of this form can be beaten by an offer from the third person (who gets nothing under the above split), giving, say, the first individual more than S and keeping the remainder. Similarly, any proposal giving each individual a share is vulnerable to another proposal that takes one of the individuals’ share and divides it among the other two. This illustrates a major feature of politics, namely that marginal or pivotal members of a majority coalition may be tempted to defect via proposals from the excluded minority that advantage the latter by making it the majority and the former by making it better off under the new
fundamental implications follow from this general result. Although these are studied at length in this chapter, I wish first to explain the intuition underlying them before developing them in a more abstract, theoretical context.

First, the policies pursued by a democratic society depend not only on public opinion but on political institutions. The American separation of powers illustrates the role of institutions in influencing the relationship between public opinion and outcomes. The House, the Senate, and the president all face the same set of voters and hence the same distribution of public opinion. Yet the rules governing representation in and elections to these bodies imply that the same set of individual opinions are aggregated in different ways. These institutional differences thus provide each body with a distinct and predictable policy bias. Similarly, for a given electorate, the policy choice is likely to differ under a unicameral legislature than with a president and a bicameral legislature.

Second, political institutions play a necessary and central role in creating political stability. If the House, the Senate, and the president each has a predictable policy bias, then there potentially exists a set of stable policies. Such policies are, in some sense, centrally located. Each has the property that, although officials in the three institutions want to alter it, they want to do so in antithetical ways. Because each institution holds veto power over changes (majorities in the case of the House or the Senate), such a policy is stable since a proposal that benefits one or two of the institutions makes the third worse off and will thus be vetoed (see, e.g., Hammond and Miller 1990, Schofield 19**).

Third, this approach also provides the basis for understanding discontinuous political change. A central concept concerns the agenda, that is, the set of institutions determining which alternatives, if any, arise for consideration within the legislature. During an era of partisan politics, parties controlled agenda power. In the context of majority rule, two consequences follow from partisan agenda control. First, agenda power

\textsuperscript{17}Indeed, much of the debate at the Constitutional Convention over the form of these institutions concerned expectations about the biases and behaviors of these institutions.
grants those holding it a degree of freedom to determine policy from among a set of possibilities. Second, this implies that when parties turn over so that a new party captures united government — i.e., the House, Senate, and presidency — policy will change as the new party alters the status quo in a manner valued by its supporters. Partisan turnover of this sort typically leads to a discontinuous change in policy.

The final and most important implication of this approach is more subtle. One of the most common and seemingly intuitive ways of relating elections to policy choices implicitly assumes a direct and continuous relationship between the two: since electoral forces provide incentives for political actors to reflect public opinion, this relationship exhibits positive responsiveness, the idea that a small change in public opinion leads to change in policy in the same direction. A principal consequence of this view is that explaining a change in public policy requires explaining a corresponding change in public opinion.

Although plausible, this view turns out to be a wholly inadequate approach to political choice and is often strikingly misleading. The reason follows from two principles presented below. First, there is no one-to-one correspondence between electoral results and policy outcomes. Elections do not provide representatives with a uniquely specified set of preferences; nor does a given set of legislators yield a unique legislative choice. This is not to say that elections are irrelevant; just that they are not fully determinative. Second, the structure of institutions dramatically affects political choice. In certain situations, policy choice is remarkably insulated from or unresponsive to changes in public opinion, while in others the political system greatly magnifies their effect. As we will see, this implies that some changes in public opinion yield no policy response while others result in a large, discontinuous policy response. This is not to say that there is no relationship among public opinion, the preferences of representatives, and public policy; instead, the relationship is indirect.

Political stability arises in this context in part because of political institutions which constrain agenda power. During the antebellum years, parties played an important role, not only in organizing political life in general, but in organizing the legislature. Within each house of Congress, for example, the majority party constructed the legislative rules to its
members’ advantage. This allowed it to bias policy in its favor. In this context, partisan turnover implied discontinuous political change as policy was altered from that biased toward one party to that biased toward the other.

The purpose of the models that follow is to make these statements more precise and to develop them in a context analogous to that of the antebellum United States.

2. Winset Analysis of Legislative Choice

Winset analysis, named after one of the key concepts to follow, is now one of PPT’s central methods for studying voting and political choice, whether in electoral settings or in legislatures. These techniques allow us to study how the preferences of different individuals are aggregated into policy choice.

Two sets of mechanisms intervene between citizens' preferences and policy choice: first, the election of representatives; and second, the interaction of these representatives within national institutions. Both play subtle and non-obvious roles in the transformation of public opinion into policy choice. What follows focuses primarily on the second set of

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18 This approach began in the early post-WWII era with Black (1958), Arrow (1963), and Downs (1957). By the late 1960s, it generated a substantial literature (see, e.g., the summary in Enelow and Hinich 1983). Even the more recent "information" approach relies on the same basic spatial model, although this approach places greater emphasis on the sequential aspects of legislative choice (Gilligan and Krehbiel 1991 and Krehbiel 1991). Much of what follows is based on Brady (1988), Cox and McCubbins (1991), Shepsle (1979), Shepsle and Weingast (1981, 1987), and Weingast (1981, 1991). A series of applications to policy have now made these techniques one of the standard tools for analyzing political choice. See also Krehbiel's (1989) excellent survey of these and related techniques.

19 As I argue elsewhere, winset analysis potentially provides a new basis for analyzing political choice in democratic settings, paralleling the tools of supply and demand for analyzing economic decisions in market settings (Weingast 1991).
mechanisms transforming public opinion into outcomes, the interaction of elected officials within national institutions.\textsuperscript{20}

The approach begins with elected officials. They are assumed to have well-defined preferences based on their electoral prospects\textsuperscript{21}. These preferences reflect how the official's constituents react to various policies, the term "constituents" here referring to the official's electoral supporters, not the entire set of voters in the official's legal constituency. These preferences are thus \textit{electorally induced} and are defined over an \textit{issue or policy space}, the set of feasible outcomes or policies. Public opinion thus enters the first stage of the analysis by providing the foundation for political preferences of elected officials.

This approach is illustrated in figure 3.1, which depicts a continuum of potential policies. The latter might be considered concerning, for example, the degree of government promotion of economic development, with policies ranging from a low degree of governmental support to a high degree of support. Elected officials are characterized as follows. First, each has an \textit{ideal} policy alternative that maximizes his electoral prospects. The ideal policy alternative of three officials, 1, M (for median), and 3, is shown in the diagram. Second, elected officials prefer policies closer to their own ideal to those located further away. Also shown on the diagram is the status quo, Q, the policy that remains in effect unless a majority of the voters agrees to change it.

For a given policy alternative, x, the winset of x, W(x), is the set of policies preferred to policy x by a majority of voters. Formally, \( y \in W(x) \) if and only if the number of voters who strictly prefer y to x exceeds the number who prefer x to y: that is, \( |\{y \in P_i x\}| > |\{x \in P_i y\}| \), where \( P_i \) is voter i's strict preference function and \( |\cdot| \) indicates the number of elements in the designated set. Figure 3.2 shows the winset of the status quo, W(Q), for

\textsuperscript{20}This focus is not due to a belief that it is fundamentally more important, but rather a reflection of my starting point. Antebellum electoral behavior has been analyzed using modern tools for at least two decades while the PPT's approach to legislative and political institutions has yet to be applied. For study of the latter see the NPH and Fogel's (1990) new study.

\textsuperscript{21}Or, in the case of rotating representatives from a local party, the party's prospects in the next election.
the voters of figure 3.1 over a single political issue. To see how it is constructed, notice that any point in the shaded region is preferred by both the median and voter 3 to Q and hence commands a majority against Q. Voter 1 and the median prefer Q to any alternative to the right of the region while the median and voter 3 prefer Q to any alternative to the left of the region.

A major question for any system of voting concerns policy stability; that is, policies that are invulnerable to replacement, given a set of legislators and the rules of the institutions. Stable policies are those alternatives that can be sustained over time. A key concept for determining stability is that of equilibrium. Two types of equilibria play a role in the theory of legislative choice. The first, a majority rule equilibrium (MRE), is a policy alternative whose winset is empty— that is, no alternative commands a majority against it. In notation, an MRE is an alternative, x*, such that W(x*) = ø.

Stability is an important property of an MRE, for once a voting body has arrived at it, an MRE cannot be replaced. For the setting shown in Figures 3.1 and 3.2, the unique MRE is the median voter's ideal point. Known as the "median voter theorem," this conclusion holds for any number of voters, as long as the issue space is unidimensional.

Unfortunately, this conclusion does not generalize beyond one issue. In general, as long as there are at least two issues or dimensions of political controversy, no MRE exists. For any policy alternative, there typically exists a set of policies that command a majority against it, that is, for all x, W(x) ≠ ø. The main implication is that, based on preferences of voters alone, majority voting processes have no natural equilibrium or stable policy alternative.

Over a decade's work culminated in a series of papers providing this result; see, e.g., Cohen (1979), McKelvey (1979), Schofield (1978), Schwartz (1981). For a review see Enelow and Hinich (1983) or Shespsle and Weingast (1981). While the result holds in general, there is an important, if extremely rare and fragile, exception known as the "Plott conditions" after Plott (1967). These conditions require an extreme form of symmetry that is unlikely to occur in practice; moreover, when it does occur, it fails to be robust to small perturbations in preferences.
Moreover, to complete the cycle, notice that a majority prefers the alternative Q to C. This is the well-known "paradox" of voting (see, e.g., Enelow and Hinich 1983 and Schwartz 1987).

The two-dimensional setting is illustrated in figure 3.3, which shows the ideal points of three voters, 1, 2, and 3. Also shown on the figure are several *indifference curves* for voter 1. An indifference curve through a given alternative shows all alternatives that a given individual values equally with that alternative. Because we have assumed that each voter prefers alternatives closer to her ideal point to those further away, each voter prefers *all* alternatives inside the indifference curve to any on the curve. For the opposite reason, the individual prefers any alternative on the curve to all outside it. Thus, voter 1 is indifferent between alternatives x and y, though she prefers both to w. She also prefers z to both x and y.

Figure 3.3 also constructs the winset for the particular status quo, Q. It shows portions of the three individuals' indifference curves through Q. The winset of Q, here the set of policies preferred by (at least) two of the members to Q, is shown as the cross-hatched region on the figure. Voters 2 and 3, for example, prefer policy A to Q (and hence A ∈ W(Q)); likewise, voters 1 and 3 prefer alternative D to Q. Clearly, the winset of Q is not empty (W(Q) ≠ ∅) as there exists a range of alternatives that command a majority against Q. The diagram also shows that there is no unique majority, but many potential majorities, that would support policy change away from Q. The general results cited above about the lack of a majority rule equilibrium imply that figure 3.3 illustrates the general case. Its conclusions are not the result of a contrived set of circumstances.

The intuition behind the instability result is easy to grasp using the diagram. At the status quo, Q, several majority coalitions can make themselves better off if they can replace Q with some other policy. Both 2 and 3, for instance, prefer alternative A to Q. And yet A is not stable, for it is vulnerable to an alternative like B, preferred by both 1 and 2 to A. This in turn is vulnerable to another alternative, for example, C, benefiting a coalition of 1 and 3.

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The main point is that when there are two or more dimensions of controversy, any majority coalition is potentially vulnerable to a proposal by the minority which seeks to tempt some portion of the majority away so that it gains majority status. Since all policy alternatives have this property, preferences of voters alone explain neither policy choice nor policy stability.

That majority voting processes lack MREs does not imply that politics is chaos, however. Research in the 1980s focused on the role of institutions and their implications for voting choice. Results from a host of contexts show that control over the agenda allows substantial influence over voting outcomes\textsuperscript{24}. For example, in figure 3.3, if voter 1 controls the agenda so that no one else can bring a proposal to a vote, he will propose the alternative that he most prefers among the set of alternatives that beat the status quo\textsuperscript{25}. In this case, it is alternative E.

A second result in this literature is that institutions affect voting outcomes by the way in which they institutionalize agenda power. The appropriate configuration of institutions can establish another type of equilibrium called a \textit{structure induced equilibrium} (SIE)\textsuperscript{26}. In the above scenario, with a single individual controlling the agenda, even though W(Q) may not be empty for a given status quo, the latter may be stable if none of the policies preferred by a majority are preferred by the individual with agenda power. For illustration, suppose that there is a single agenda controller such as a strong party leader. Let A(Q) be the set of policies preferred by the agenda controller to Q. Then an SIE is a policy such that none of the alternatives preferred by the agenda setter to Q command a majority against Q, that is, A(Q) ∩ W(Q) = ∅. Interesting applications of the theory involve the way in which agenda power is institutionalized within

\textsuperscript{24}The agenda control literature is quite large. See, e.g., Baron and Ferejohn (1989), McKelvey (1976), Plott and Levine (1978), Shepsle and Weingast (1981, 1987).

\textsuperscript{25}This is clearly the simplest form of agenda control, and a wide range of alternative assumptions about it are possible.

\textsuperscript{26}A wide variety of results of this nature have been found: Baron and Ferejohn (1989), Gilligan and Krehbiel (1989), Shepsle (1979), Shepsle and Weingast (1987, 1989), and Weingast (1991). See also the closely related work of Hammond and Miller (1990).
the hands of role specialists. Subsets of members of the legislature, these role specialists typically include party leaders and the committees with policy jurisdiction over particular issues.

During the partisan era of politics, such as that which concerns us in this book, parties held agenda power. Within each house of Congress, the majority party not only determined the rules governing that house, but typically constructed them so that it held a strong hand in controlling which eminences arose for a vote in that house (Brady 1988, Cox and McCubbins 1993).


A deep understanding of the relationship between public opinion and policy choice requires an appreciation for how public opinion interacts with political institutions. To see how this works, I utilize a simple assumption about how institutions influence outcomes via their effect over agenda power. Consider a legislature in which some subset of members is endowed with gatekeeping authority for a particular issue; that is, the ability to keep the issue from coming up for a vote. In the context of the United States Congress, the relevant individuals might be party or committee leaders.

The effect of gatekeeping authority for political choice can be seen by examining the situation in Figure 3.4 showing three legislators and one issue. Notice that the unidimensionality of the issue space implies that an MRE exists, namely M. Yet, even in the presence of an MRE, political and legislative institutions can bias choice away from the MRE.

Consider a status quo, Q, that is located between legislators 1 and M and suppose that legislator 1 possesses gatekeeping authority. Were there no veto power, policy would move toward M: both legislators M and 3 would vote for any alternative in W(Q) over Q. Of course, the alternative, M, beats any other and is the only alternative which is stable.

Gatekeeping authority held by legislator 1 allows him to prevent movement of policy toward M. In spite of the fact that a majority prefers
alternatives in $W(Q)$ over $Q$, the gatekeeper will use his authority to prevent alternatives in $W(Q)$ from arising for a vote. Under these circumstances, $Q$ is an SIE. Since none of the policy alternatives that command a majority against $Q$ are preferred by 1 to $Q$, 1 will keep the gates closed. Consequently, $Q$ is stable and remains in effect.

This framework also affords comparative statics results, that is, predictions of equilibrium change. Suppose, for example, that after an election, agenda power passes to legislator 3, perhaps because the identity of the majority party has changed from that on the left to that on the right. Legislator 3 will try to move policy toward his ideal point. Notice that $W(Q)$ contains a large range of alternatives besides $M$. If 3 has complete control over the agenda, he will treat $W(Q)$ as the feasible set and choose the policy in this set that he most prefers, in this case, $Q'$. Thus, party change implies turnover of those holding agenda power, and this leads to discontinuous political change. \(^{27}\)

4. Political Parties and Discontinuous Policy Change

For a given set of legislators, predicting political choice requires a set of assumptions about who holds agenda power. The main comparative statics results about political change in the 1850s are robust to a number of assumptions about agenda power. In what follows, I focus on the role of political parties, drawing on the work of Aldrich (1990), Brady (1988), Brady, Cooper and Hurley (1979), Cox and McCubbins (1993), and Rohde

\(^{27}\)Although this is a simple example, it illustrates a major result in the literature. Moreover, as illustrated in the appendix to this chapter, the same type of discontinuous change appears in a variety of circumstances. Comparative statics results of this sort have proven extremely useful for understanding congressional policy change. See, e.g., Brady (1988), Ferejohn and Shipan (1989), Marks (1989), McNollgast (1990), Shepsle and Weingast (1987), Spiller and Gely (1991), Weingast (1981), or Weingast and Moran (1983). These works focus on a wide variety of policy areas, including nuclear power, telecommunications, civil rights, and policy change following critical elections.
This involves a key set of assumptions that comprise an idealized legislative party system. These idealizations only approximately characterize legislative parties during the antebellum Congresses. Yet, because the latter was a strongly partisan era, this approach yields important insights into the congressional behavior and policy choice at that time.

The assumptions are as follows. First, the majority party provides the basis for the organization of the Congress, and it uses this power to advantage its members. Second, the party provides a set of mechanisms for enforcement of agreements among its members, including some inducements for members to adhere to the party line. Third, a principal purpose of a party is to organize and enforce exchanges among its legislative members. The natural variation in preferences among congressional constituencies implies that congressmen in a given party not only exhibit a range of policy concerns, but care differentially about them.

Several consequences follow from this approach. First, the majority party uses its power to organize each house of Congress to bias policy outcomes in favor of its members. Second, to the extent that preferences differ across parties systematically, a change in the majority party has a substantial and predictable effect on policy. Party turnover may thus magnify the effect of an underlying change in public opinion on policy choice.

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28The following treatment of parties is intended to be a first pass at these complicated issues. It reflects recent learning in the emerging literature on political parties and their organization of the legislature. Unfortunately, the literature is not yet sufficiently well-developed to allow a more realistic treatment of the congressional and party institutions of the antebellum period. Nonetheless, I believe that the approach developed here captures the essence of the partisan era of congressional politics.

29Laver and Shepsle (1994) describe how this occurs within the parliamentary structure typical of European governments. There is no well-developed model of how parties govern and enforce such exchanges, though Weingast (1990) makes some suggestions, extending the more detailed theory of enforcement and decentralization of agenda power in Weingast and Marshall (1988). See also Cox and McCubbins (1993).
5. The Constitution and Durable Political Exchange

This approach to the politics of discontinuous political change yields important implications for understanding the role of constitutions. PPT’s emphasis on political uncertainty implies that public opinion alone is an insufficient basis upon which to build stability. Political uncertainty therefore implies the need for extra-legislative protection for those issues, rights, and policy positions considered sufficiently "fundamental" to be protected from potential change. Positions may be fundamental in either of two senses. First, a position may be so widely valued that there exists a normative consensus favoring its protection. Examples include the political and economic rights protected by the Bill of Rights. Second, though there is considerable disagreement over this, a position may be protected if this protection is necessary to maintain the polity. As is well known, the United States Constitution provided protection for a number of such issues, including concerns between small and large states, slave and free states, and commercial agrarian states.

An important role of the constitution is to endow today's bargains with durability. Appropriately designed constitutional restrictions place bounds on the choices of political actors, constraining their future choices. Although developing a theory of the constitution from this perspective is
beyond the scope of the current enterprise, one observation is critical to it: these bounds may be of two types. First, a constitution may provide for explicit prohibition and constraints against certain types of actions, as illustrated by the Bill of Rights. Second, the constitutional agreement may focus instead on adjusting relative bargaining power of the relevant parties. Several issues of this sort occurred in the United States Constitution, notably the representation of small versus large states and the three-fifths rule affecting the relative representation of free versus slave states. Constitutional constraints of this type need not be contained in a formal Constitution, but instead may be embodied in less formal ways; for instance, in an informal convention. In order to be sustained, however, an informal constraint must be supported by some form of credible commitment.

Nothing inherent about making a constraint explicit provides for its durability. Durable restrictions are a special subset of constitutional provisions, ones with an important property; namely, they are credible or self-enforcing (Ordeshook 1993, Weingast 1993a, 1994). This requires that the restrictions be in the interests of political officials to observe. The common violations of many constitutions throughout the world suggest that these circumstances are not automatic. How this condition is met in practice is left for the specific discussions below. At this point, let me only note that constitutional histories of the United States rarely discuss this problem. 33

Finally, let me observe that important constitutional provisions are often not part of the formal Constitution. These include explicit political principles or conventions accepted for extended periods, and not subject to revision on an on-going basis. As with explicit constitutional provisions, however, these must be self-enforcing to be effective.

The approach to antebellum political-economy developed below focuses on informal constitutional conventions designed to protect rights

over which there exists considerable disagreement. I demonstrate in part III that the notion of sectional equilibrium provides an example.  

6. Implications of PPT Models of National Policy Choice

Several principles of politics and policy choice follow from the approach to the politics of discontinuous policy change developed above. These will prove critical for understanding the years of stability during the second party system, the decade of political controversy and instability following that system's demise, and the abrupt and discontinuous changes at that decade's end. First, although public opinion is an important factor in policy choice, no one-to-one mapping exists between it and public policy. Second, the political institutions may dampen or magnify the effect of an underlying change in public opinion depending on the circumstances. For example, if a small swing in the national electorate results in the majority party's size falling from 56 to 54 percent of the legislature, only a small change in policy may result as the majority attempts to adjust to its slightly altered distribution of preferences. If, in contrast, the relative composition changes from 51 to 49 percent so that the opposition party becomes the new majority, the large shift in those members comprising the majority implies a major shift in policy.

An important empirical implication of these conclusions is that wide swings in policy are possible under majority rule, even if the underlying variables change only incrementally. Thus, suppose that a particular economic, political, or ethnocultural variable changes in a way that affects public opinion incrementally over time. Each year, the new change induces some fraction of voters to change their voting behavior in

34 The dividing line between these informal provisions and standard legislation is, perhaps, hard to draw. Unlike formal constitutional provisions, these can be changed without a formal constitutional procedure. Although I do not pursue this issue here, I raise it because of the critical role of sectional balance. Balance not only had a dramatic effect on choices made by elected officials, but on the long-term success of the Constitution itself. As a widely accepted, general principle, sectional balance shaped a surprising number of aspects of antebellum politics.
a particular manner. PPT models show that the political response to this set of changes is often discontinuous. Reflecting the knife-edged quality of majority coalitions, the trend may have an effect only when the total accumulated change alters the identity of the majority party. In sum, policy outcomes are not a smooth function of public opinion.

Explaining a major policy change thus requires not only an examination of public opinion but of how public opinion affects the identity and preferences of those who control the agenda institutions. Although this chapter has emphasized models where the identities of the two main political parties are fixed, the approach can be extended to show the circumstances under which the identity, composition, and policies of the parties also change.

The dependence of policy choice and stability on the identity of those holding agenda power – notably, the majority party – provides for the role of the constitution. Because changes in those holding agenda power lead to changes in policy, policy positions or rights over which there is a substantial divergence of opinion are subject to change. Satisfying a demand that a set of policies be protected requires that an institutional means be devised to endow greater durability than that furnished by majority opinion alone. When certain political agreements require that a certain aspect of public policy be permanent, some form of institution must be devised to insulate that policy from change by future majorities.
Appendix to Section 3.

This appendix derives two additional comparative statics results about discontinuous political change. They are variants on the principles discussed in this section, and will have specific applications below. The first studies an electoral version of the result while the second focuses on the knife-edged properties of balanced voting blocks.

(1) An electoral version. The same type of discontinuous relationship between outcomes and public opinion occurs in the election of representatives. Consider a specific electoral unit – whether a congressional district, a state legislature attempting to elect a senator, or the entire country for the case of the presidency. Suppose that the parties possess distinct identities, advocate different policies, and their candidates for election run on platforms that reflect these distinct identities. This is illustrated for a typical electoral unit and a one-dimensional issue space in Figure 3.9. M is the median voter in the district, P₁ is the candidate from party 1, and P₂ is the candidate from party 2. Given the configuration of preferences in this constituency, party 1's candidate wins the election with a support constituency – that is, those voters voting for him – that includes M and everyone to the left. ³⁵

Now, suppose that the situation changes slightly; for example, M drifts a little to the right. This might occur because of party 1's bad performance while in office; for example, a costly war, an economic downturn, or some other political disaster. If this change in public opinion yields a change in the district's median from M to M', then in the next election, the challenger from party 2 will beat the incumbent from party 1. Notice that the support constituency of the representative has changed. The old coalition consisted of the median (and, possibly, nearby voters) plus everyone to the median's left. Afterwards, M' has switched sides to form a new majority support coalition composed of M' and everyone to the right.

³⁵While the losing candidate in this election has a clear incentive to move toward M by distancing himself from the party platform, during an era with a relatively high degree of party discipline, this is difficult for an individual legislator to do since the party's control mechanisms limit his freedom once in Congress. Obviously this constraint is much weaker on the president.
Several aspects of this change in representation are important. First, the small change in public opinion from M to M’ has been magnified by the representation process into a much larger change in the preferences of the representative. Second, the support constituency of the representative has changed from one composed largely of party 1’s followers to one composed largely of party 2’s followers. Third, the actual response mechanism of this form of representation to changes in public opinion is \emph{knife-edged}. To see this, suppose that the movement from M to M’ had taken place in a series of small steps. The first movement is sufficiently small that, while M has moved away from \( P \), it is still closer to this candidate than to \( P_2 \). As soon as the median crosses the boundary line equally distant from either candidate, however, the median switches allegiance and votes for the second party's candidate. The identity and preferences of the elected representative change dramatically and discontinuously. This shows that some small changes in public opinion have no effect on representation, while others — notably ones that cross relevant boundaries that change the composition of the majority support coalition — have a dramatic and discontinuous effect.

(2) **Balanced voting blocks.** A slight variant on the same theme arises in a different context. Consider a legislature with two voting blocks; that is, in which legislators are divided into two polarized groups. This is illustrated in Figure 3.10, which depicts two groups of legislators. While legislators within each group show the same range of variation over the issue on the horizontal axis, they have markedly distinct preferences over the vertical dimension. One group prefers only high values while the other prefers only low values.

Now, suppose that these voting blocks are of \emph{exactly equal size}. Then there exist policies that are MREs. This holds because the equal size assumption implies that the number of legislators is even. Polarized voting blocks of exactly equal size imply that a policy that is centrally located along the horizontal dimension and between the two polar groups along the vertical dimension is stable: any proposal to move in one direction is opposed by exactly half the members of the legislature and so cannot command a majority. This is illustrated in Figure 3.11 for six legislators divided into two polarized groups of three: Q is an MRE.

An important comparative statics result holds here that exhibits discontinuous change. Increasing the size of one of the groups by exactly one
member destroys $Q$ as an equilibrium. Moreover, it radically shifts the policies that can replace $Q$. This is illustrated in Figure 3.12, which adds one person to the top group of legislators. Whereas $Q$ was an equilibrium when the polar groups were exactly balanced, it is not when the top group is bigger – even bigger by just one. With the imbalance as small as one, the top voting block now constitutes a majority and can pass policies that move into the center of its ideal points, shifting policy dramatically away from the ideal points of the lower voting block.

Again, this comparative statics result is knife-edged. A small change in the size of the voting blocks matters a great deal when the two blocks are exactly equal. Moreover, this result holds for any number of legislators – whether the voting blocks each number three and then one block becomes size four or they both number 357 and one becomes 358. This result flies in the face of the more intuitive – but false – notion that the policy changes available to a majority change smoothly and continuously with the size of the majority.
PART III: NATIONAL POLITICS DURING THE SECOND PARTY SYSTEM, 1828-50
Chapter 4. The Riker Thesis And
The Politics of Slavery

Understanding the stability of the second party system and its breakdown in the 1850s requires a model of the political system. Part III focuses on the second party system. At a minimum, the model must explain the major features of the antebellum political landscape. These include:

(1) A stable party system of intersectional coalitions that suppressed sectional issues such as slavery.

(2) The NPH observation that most individuals cared more about local politics than national politics.

(3) The hegemonic position of the Democratic party during the second party system.

(4) The states' rights constitutional interpretation, including the maintenance of relatively strict limits on the national government.

This chapter develops the model and discusses the first phenomena, and hence the stability of rights in slaves during the second party system. Chapter 5 provides a range of empirical evidence supporting the approach. Chapter 6 turns to the implications of the model, showing how it accounts for phenomena (2) through (4).

My strategy to develop the model involves two parts. In the part A, I present a simple heuristic model that provides the main insights. In the second, I add complexity and context, demonstrating that the model's main results do not depend on assuming away these complications. In the first
stage, I ignore a range of important features of antebellum America: notably, the role of parties and partisan competition; differences within regions – for example, between laborers and merchants in the large cities of the Northeast; and the separation of powers among the Congress, president, and the Supreme Court. That these features are added in the second stage does not imply that they are secondary. Rather, the sequential development is designed to reveal the subtle but overriding logic of national politics without complicating features, and then to demonstrate that adding these features preserves the logic. The following chapter provides considerable empirical evidence that the underlying scheme characterizes national politics during the second party system.

The model’s main results include the following. In the first part, I demonstrate that rights in slaves were not carved in granite, but vulnerable throughout the antebellum era. I then show how the balance rule preserved rights in slaves by limiting the ability of the national government to make changes on slavery.

Part B takes up the issue of the robustness of the results in part A. Part A uses simple models with strong assumptions. Part B shows that these results generalize to more realistic environments: one with parties and within-region variation of preferences; and a system of separation of powers, encompassing the House of Representatives and the president, in addition to the Senate. The more complex model shows that the results of the simple heuristic model hold in more realistic circumstances. It also shows how the balance rule forced partisan competition to remain largely on the economic dimension. This was not a feature of the parties themselves, as the NPH suggest, but of parties in the context of sectional balance in the Senate, and hence of the southern veto over slavery. Finally, part II discusses the pattern of policy implementation from the initial Jackson administration through 1850. This shows how the Democrats’ dominance of national elections allowed them to protect their policies from major inroads by the Whigs.
PART A: THE BASIC MODEL

1. Public Opinion and the Stability of Slavery

Application of the theoretical framework to the politics of the second party system begins by considering the country in terms of the three regions noted in chapter 2, each with its own economic and political interests: the Northeast (NE), the Northwest (NW), and the South (S). These regions are displayed in map 1. In the early years of the second party system (i.e., the early 1830s), the principal national policy issues were economic. As noted in chapter 2, policy questions concerned the degree to which the government should promote agrarian expansionism or commercial development. Preferences of each region were correlated across these policy dimensions. Those opposing the tariff, for example, typically also opposed a national bank while supporting cheap land policy. For this reason, and for simplicity, the model depicts this set of economic issues as a single dimension. Both the South and Northwest preferred agrarian expansionism, low tariffs, and opposed a national bank. Their differences concerned the issue of internal improvements, which the South opposed and the Northwest favored. In contrast, the Northeast favored commercial development, high tariffs, internal improvements, and a national bank.

This characterization is graphed in Figure 4.1, which depicts each region as a single player. During the second party system, the Jacksonian Democrats governed the country, favoring agrarian expansionism with strength in the NW and S. In opposition stood the Whig minority favoring commercial development with a major stronghold in the NE. Figure 4.1 portrays the essence of this political competition by placing S and NW much closer to each other and to the left end of the policy issue and NE on the right.
Were this the only relevant dimension, the politics of this era would have been straightforward and political stability not an issue. The median voter theorem would apply, yielding NW's ideal point as the unique and stable policy equilibrium. It is unlikely that this sole issue would remain the basis of electoral conflict, however. As Riker (1982) argues, the losers in this system, the Whigs, were unlikely to accept this situation passively — that is, to lose consistently. Riker contends that, in a setting where political forces support a particular majority coalition, the losers have an incentive to search for a new political issue that splits the majority coalition so that some of its members find action on the new issue offensive while others find it attractive. Riker shows that slavery was such an issue. He suggests that the Whigs opportunistically raised this issue on a number of occasions to split the Democrats and win elections:

> The "precipitating force" to raise the issue of slavery was political; and political it was, rooted in an effort by the losers to manipulate the agenda to their advantage (Riker 1982, p. 216).

Further,

> [s]lavery was always an evil but not always a political issue. What made it a political issue was that, by reason of the structure of politics in the mid-1830s [and again, later], it was to some people's advantage to place abolition on the political agenda (Riker 1982, p. 221).

To see the potential for political instability raised by the issue of slavery, figure 4.2 expands the issue space represented in figure 4.1 by adding the slavery dimension, placing the three players with ideals in two
dimensions. All three players retain the same position along the economic dimension. As the most proslavery player, $S$ is placed in the lower left-hand corner of the diagram. Both the NW and NE, on the other hand, are shown as roughly indifferent to slavery, neither positive nor negative. Although the placement of NE and NW is somewhat arbitrary, what is central to the model is the disparity in commitment to slavery between the North and the South.$^{36}$

Also depicted on the diagram is the status quo, $Q$, representing strong federal protection of rights in slaves and placed on figure 4.2 at the NW

$^{36}$Most Northerners were probably somewhat negative, and increasingly so over the antebellum period. In order not to bias the outcome in favor of antislavery, however, I depict them as indifferent. This placement does not affect the results.
ideal along the economic dimension. Finally, the figure displays the indifference curves of the players through the status quo. Southern indifference curves are represented as ellipses with the short axis along the slavery dimension, reflecting the fact that the South cared far more about a small change on the slavery dimension than on the economic dimension. A maximal change in, say, the tariff would not have had as large an effect on the South as a major restriction on rights in slaves. The indifference curves of the two Northern players are also drawn as ellipses, but with the short axis on the economic dimension. This reflects the notion that, during much of the second party system, most Northerners cared more about economic issues than about slavery.

The first implication of the analysis is the existence of a non-empty winset of policies that command a majority against Q, revealing why the issue of slavery was so dangerous to S. With two policy dimensions at stake, it became possible for NW and NE to form a coalition against S, changing policy radically on the slavery dimension and moderately on the economic one. This result demonstrates the veracity of Riker's claims, and I therefore call the political use of slavery as a means of breaking up the intersectional coalition of NW and S the Riker Thesis. This insight led Riker to conclude that it was simply a matter of time before opponents of the Democratic Party used the issue of slavery to become the majority party. Moreover, as he observed, it was this possibility that concerned Jefferson following the Missouri Compromise:

> But this momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once as the Knell of the Union. It is hushed, indeed for the moment. But this is a reprieve only, not a final sentence.³⁷

The second implication is that, were policy to be made solely on the basis of majority rule, the greater number of Northern voters implies that a purely sectional majority party was possible. Having little direct concern for rights in slaves, a purely Northern coalition might well have

³⁷Quoted in Ransom (1989, p. 40).
altered these rights if it suited their purposes. This conclusion is a special case of the conclusion discussed in chapter 3 that majorities have no commitment to particular rights.

The model shows that, on the basis of public opinion alone, nothing inherent in the antebellum era protected rights in slaves. Nor did public opinion dictate that a stable set of intersectional coalitions would suppress sectional issues. The model shows that the formation of a purely Northern coalition remained a possibility throughout this period, and such a coalition would have minimal commitment to preserving the values, property, and institutions of the South.

The South had good reason to be concerned about the North's tenuous commitment to rights in slaves. The natural variation in preferences on the slave dimension between Northerners and Southerners combined with different economic interests to create the potential for a coalition to form against the South from which it could not protect itself. Had the North captured the presidency and a majority in both houses of Congress, Northerners would have had the clear means to alter rights in slaves. Moreover, some Northerners had the motive to do so. As the minority party, Whigs were typically prevented from implementing the economic policy changes they favored. In order to gain control of the government, Northern Whigs had substantial incentives to create a rift between Northern and Southern Democrats. Raising the issue of slavery had precisely that effect.

This model provides a fundamental insight into the stability and fall of the second party system. Yet, tempting as it is to take it as a model of the demise of the second party system and the rise of sectional conflict in the 1850s, the model fails to explain a series of fundamental phenomena, such as the obvious stability of second party system. Although issue of slavery was raised on a number of occasions (as Riker notes), it failed to break apart the ruling Democratic party during this period. Equally important, the model provides no explanation for why, in the 1850s, this issue helped destroy the Democrats' longstanding national majority.
2. Sectional Equilibrium in the Senate

The theoretical instability of slavery derived above presents a striking contrast with the actual operation of the second party system. From the founding of the republic until the decline of the second party system, slavery was widely accepted; during this time no northern sectional party emerged to promote its demise. Though slavery was always a factor in national politics, direct conflicts were limited to specific episodes, such as the extension of slavery to new territories.

The contrast between the observed political stability and the model's prediction of instability demands an explanation. The stability of rights in slaves along with a party system sustaining inter sectional coalitions cannot be accepted as "facts," however. These phenomena did not hold simply by virtue of overwhelming public support and cannot be assumed as inevitable properties of antebellum politics. Rather, they are part of the phenomena to be explained.

Although antebellum politics appeared to reflect a "consensus" that slavery be kept off the national agenda (Fogel 1989), the apparent consensus was not the result of a nearly uniform preference or belief across the nation that slavery was acceptable. The relative absence of a sustained political conflict over slavery was instead the product of a set of institutions that made it difficult for those who might seek such changes to succeed. These institutions left Northerners with a choice. They could ignore slavery in order to cooperate with the South on other policy issues, or they could challenge the South over slavery, paralyzing the national government and possibly leading to armed conflict. My argument is that until the 1850s, a sufficient portion of Northerners preferred cooperation, and that this exchange of support was one of the principal factors underpinning the Jacksonian-Democratic Party's dominance during the second party system. Despite slavery's constant brewing below the surface of national politics, political institutions restrained those with the motives to initiate a sustained attack against it.
The model of sectional equilibrium

The risk of major changes in rights in slaves led Southerners to seek a credible commitment from the North not to alter these rights. The credible commitment was institutionalized through the convention of equal representation or regional balance in the Senate, giving both regions veto power over national policymaking. In particular, balance granted Southerners a veto over policies affecting slavery. Though many historians have appreciated equal representation in the Senate, its profound consequences are not widely recognized. As I argue below, the consequences of balance include the major features of the politics of this period such as the stability of the second party system and, later, that system's decline.

The logic of sectional equilibrium's equal representation in the Senate can be understood using a variant of the model. The results developed above can be thought of as predictions about behavior if national politics were to reflect majoritarian public opinion. Although the predictions provide a good characterization of politics in the House of Representatives, they afford an incomplete understanding of national political decisionmaking, for policymaking requires approval of both houses of Congress and the president. Equal representation in the Senate implied that politics in that body would diverge considerably from those of the presidency and the House, both of which were more responsive to the larger northern population.

The politics in the Senate are portrayed in figure 4.3, a slight modification of figure 4.2. The balance rule implies that the configuration of preferences based on population and public opinion – and hence, in the House – did not hold for the Senate. Whereas figure 4.2 shows each region with a single representative, figure 4.3 adds a second Southerner to provide the balance between the regions. Necessarily, equal representation transforms the winsets, for a majority in the Senate requires three of the four players. Figure 4.3 also shows the status quo and associated winset reflecting the Senate's regional balance.
The winsets of a balanced Senate (figure 4.3) present a striking contrast to those of the imbalanced House (figure 4.2), and yield several implications. First, sectional equilibrium dramatically transforms the shape of the winset, removing the long "petal" of policies representing major changes along the slavery dimension. Put simply, \textit{sectional equilibrium in the Senate implies that national political controversy during this era excludes slavery}. Although proposals affecting slavery might have succeeded in the House, they could not pass the Senate. By manipulating representation in the national institutions, elected officials were able to determine which policies could command a majority in these institutions.

Second, this approach provides an explanation for why the territories were so critical to Southerners. As the principal mechanism
Institutions, Credible Commitment, and the American Civil War

protecting rights in slaves, sectional equilibrium could be maintained only by expanding slavery. The NEH has demonstrated that the South did not have a direct economic motive for fostering the expansion of slavery. Economics alone cannot explain why Southerners consistently—and passionately—pursued territorial expansion. My approach demonstrates that the South had substantial political reasons to pursue slavery's expansion, ones directly tied to the political foundations of the slavery economy ignored by the NEH. Failure to maintain equal representation would transform the political situation in the Senate to that of the imbalanced winsets in figure 4.2, allowing slavery to be threatened. Given northern expansion, Southerners needed to favor expansion of slavery in order to protect themselves from national political mischief.

Although the difference between figures 4.2 and 4.3 illustrates this principle with three and four senators, the result is general: A discontinuous change in the winset occurs with this configuration of senators when the two groups are of any size and the balance is broken by adding one voter to one side (this is demonstrated in the appendix to chapter 3). In particular, in the context of a regionally balanced group of 60 Senators in 30 states, adding one free state has the effect of transforming the Senate winset from that in figure 4.3 to that in figure 4.2.

Third, the close alignment of the two Southerners' ideal points implies that virtually every majority coalition in the Senate included the South. Put another way, the veto in the Senate in effect afforded Southerners a veto over all policies, not just those relating to slavery. Hence permanent national coalition that formed in this era was likely to advocate policies that benefitted the South. This is not to say that the South alone received the benefits of national policymaking, for equal representation in the Senate did not hold in the House or for the presidency.

The final implication of the analysis concerns agreements over the territories and absorption of more states into the Union. The theory suggests that the veto would serve its purposes on a day-by-day basis, preventing the national government from challenging rights in slaves. Over the long run, however, the most critical periods concerned expansion of the United States. Because the country was growing, previous
agreements became outmoded or had to be extended to new territories. Each new generation, therefore, had to renew the arrangements that began when the founding fathers created a system with strong constitutional protections for slavery. Uncertainty about these questions underpinned the principal crises of the Union, for the relative balance of power and the terms of exchange between the North and the South were renegotiated during periods in which the renewal of the agreement was at stake. The controversies over Missouri (1819-20), nullification (1833), and the Mexican War (1846-50) fit this pattern.

4. Initial Evidence

Chapter 5 provides systematic evidence in favor of the perspective and its predictions. This brief section discusses the actual pattern of sectional balance, demonstrating that concerns over balance were present throughout the second party system. It then turns to constructing an actual winset based on data from congressional voting, revealing the remarkable correspondence between the model and the data.

Sectional balance in practice

The concern for sectional balance began almost immediately with American independence from Great Britain. Cain (19**) observes, for example, that an understanding of balance informed the debates and policy choices concerning the territories under the Articles of Confederation. Sectional balance was among the principal concerns during the debates at the Constitutional Convention (see, e.g., Banning 1995; see also Roback 1992), though no explicit construction of a balanced Senate occurred at this time. Nonetheless, balance between the sections was quickly established in the first decade after the Constitution, with the admission of Kentucky in 1792 and Tennessee in 1796 (see table 4.1).

Institutions, Credible Commitment, and the American Civil War

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Source: Senate: *Historical Abstracts* (1975: Series A 210-263)
House: Austin (1986, Table 3.8)

<sup>1</sup> Slave state representation following the census of 1860 had secession not occurred.
<sup>2</sup> Admitted during the secession crisis after the resignation of members from the

Table 4.1: Free vs. Slave State Representation in Congress, 1791-1861.

Following admission of Tennessee, the next three groups of states were admitted in pairs (Meinig 1993), and ten years separated the admission of Ohio in 1803 and the balancing slave state, Alabama, in 1813. As no
major confrontations arose over slavery during this period, careful attention to balance was not considered necessary.

This lackadaisical attention to balance changed dramatically with the crisis over Missouri. This crisis, involving the spread of the United States into the trans-Mississippi territories, revealed the potential virulence of the antislavery initiatives (the details of this crisis are discussed below). The crisis was resolved in the Missouri Compromise of 1820, an explicit agreement about balance. Not only was balance strictly maintained over the next three decades, but the South never fell behind during this time. Finally, the Compromise of 1850 broke the balance by admitting California alone, though it also created the expectation that balance would be restored in the future (as discussed at length in part IV, especially chapters 10 and 10B).

The table reveals that balance was maintained nearly throughout the second party system. Moreover, the traditional date cited for the demise of the second party system, 1852, occurred only two years following the breaking of balance. As I argue below (ch **), this was no accident.

Constructing a winset

I now turn to constructing winsets for the actual House and Senate to show their similarities to those relying on smaller numbers of legislators in the theoretical sections. Though data limitations somewhat restrict their completeness, the constructions provide a plausible representation of congressional preferences and their winsets.

Two sets of assumptions are necessary to construct the winsets, one concerning the shape of preferences and one concerning the location of ideal points. Concerning the shape of preferences, I retain the assumptions used above, namely that the preferences of Northerners were essentially circular those of Southerners elliptical, reflecting a greater sensitivity to changes along the slavery dimension than along the economic one. With respect to the location of ideal points, I have placed

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39The model used by Poole and Rosenthal to construct their scores is based on circular preferences. Technically, the construction of the winsets should use this assumption. Using circular indifference curves would not change the following
all representatives or senators from a given state at the same ideal point. For the House, this is necessary to make the construction manageable. Since I do not have such scores for the Senate, I locate senators at the mean value of their state delegation in the House. Ideal points for each state are located at the average score on each of Poole and Rosenthal's dimensions for the House delegation. The winset for the House weights each ideal point by the size of the state’s delegation; the winset for the Senate weights each ideal point equally. The data and construction is presented for the 29th (1845-1847) Congress.

The results appear in figure WS1. The constructed winset for the House is shaded with horizontal lines; that for the Senate with vertical lines. The constructions show that the winset of the Senate affects policy in the manner predicted by the model. As in the model, the structure of the Senate winset prevents change on the slavery dimension. The Senate winset's main petals are horizontal, thus allowing considerable policy latitude along the economic one. Given the status quo, the largest petal extends from Q to the right. It is not possible for antislavery policies to command a majority. In contrast, the winset of the House includes a large range of alternatives that lie above Q. Indeed, most of the policy latitude in the House is along the slavery dimension, reflecting the Northern majority's support for legislation making radical changes along the slavery dimension.

Finally, the figure shows the set of policies that would pass both the House and Senate, $W^H(Q) \cap W^S(Q)$, indicated in the figure by the area.
with both horizontal and vertical lines. This area closely resembles those in the theoretical models above.\textsuperscript{42}

In sum, data from congressional voting yield constructed winsets that remarkably parallel those used in the theoretical analysis. Notice, in particular, that even with large numbers of voters, Southern veto via balance in the Senate appears to have been essential to maintaining rights in slaves.

**PART B: THE MODEL'S ROBUSTNESS**

Part B demonstrates that the main findings reported in Part A generalize to richer political contexts. Complexity and richness are added to the model in three stages. The first two focus on parties during the second party system, allowing local variation in intro-regional political preferences. The third stage integrates a separation of powers system into the model.

1. **A Model of Party Competition**

Two limitations of the model in chapter 4 stand out: small numbers (representing the Congress as having three and four members) and the assumed homogeneity within regions. Thus, the first step in the appendix's analysis is to relax these severe and unrealistic constraints.

The addition of parties to the model relies on several characteristics about their behavior and the preferences of their members. First, in this era of strong parties, parties organized the legislature and coordinated the voting behavior of their members. As a consequence, members of each party tended to vote alike on many issues, especially economic ones. (There were obvious regional disparities in voting on sectional issues.) In terms of the model, this corresponds to the following assumption: that the

\textsuperscript{42}Virtually identical results have been obtained for a range of years during the second party system.
average difference in preferences among a party's members of Congress on economic issues are smaller than the average differences between members of different parties. This assumption is consistent with the historical literature, as I demonstrate in the empirical results presented in chapter 7. Thus, Democrats of the Northeast had more in common with Democrats of the Northwest than they did with Whigs of the Northeast. As in the models above, Northern members of Congress are depicted as having a slightly negative view of slavery while Southern members are assumed to prefer strong federal protection for slavery. Finally, southern Whigs are depicted as less "whiggish" than northern Whigs. Though their preferences over economic issues differ from those of southern Democrats, that difference is less than that between Northern Democrats and Northern Whigs.

These assumptions yield the situation depicted in figure 4A.1. The figure shows a typical status quo, representing a policy of strong protection for rights in slaves and, on the economic dimension, a policy corresponding to the ideal point of a typical, or median, Democrat. The distribution of ideal points presents a richer and more varied picture of the representation from each region than the analysis of chapter 4. In contrast to chapter 4, the figure does not represent the Northeast as having a single, monolithic political view. Democrats from the Northeast (NEDem) differ in their preferences from Whigs from the Northeast (NEWh). Whigs in this analysis are placed roughly at the same position as the NE in the figures in chapter 4. Democrats from the Northeast (e.g., upstate New York farming regions, or workers within cities) are located slightly to the right of the Democrats of the Northwest. With respect to national policymaking, these Democrats have more in common with other Democrats than they do with Whigs from their own region. Similarly, Whigs in the South and Northwest (e.g., along the major river, canal, and lake transportation routes; or in the upland areas of certain Southern states such as South Carolina) have more in common with each other on the economic dimensions of national policy than they do with Democrats from their region.

Figure 4A.1 also depicts a larger legislature than do the models of chapter 4, one with nine members instead of three and four members. The
first observation from this more complicated portrait is that the winset in this representation is identical in structure to that depicted in chapter 4. From the status quo representing the Democratic party's dominance of elections, the winset allows changes in three directions, and major changes in two. Important from our standpoint is that, in both figures, a large petal exists, allowing substantial changes in policies with respect to slavery. This reflects the greater numbers of Northerners in the House.

Figure 4A.2 extends the analysis to representation in the Senate. Reflecting the balance rule in effect throughout the second party system, the figure depicts an equal number of northern and southern senators. As with the analysis of the House, a Democrat senator from the Northeast, from New York for example, is represented as having more in common with other Democrats on the economic dimension than with Whig representatives from the same region. Nonetheless, Democratic senators from the Northeast are placed slightly to the right (more whiggish) than their Northwestern coalition partners. This reflects the notion that, though most Democrats were anti-tariff, the consequences of a low tariff were more costly to those in the Northeast than in the Northwest.43

The analysis reveals that, in this more complex setting, the main results of chapter 4 continue to hold. In contrast to that in the House, the Senate winset does not contain the large petal policies allowing diminished federal protection for rights in slaves. Anti-slavery policies cannot pass such a Senate.

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43Though farmers throughout the northeast would have to pay higher prices on consumer goods imported from Europe, higher tariffs would also help the local commercial economy, enhancing the demand for their produce.
2. Partisan Competition, Policy Change, and The Suppression of Sectional Issues

Our second set of results concerns the policy dimension of partisan competition during the second party system. As I have emphasized, party
competition largely focused on economic issues. I now demonstrate that this was a direct consequence of the balance rule and the Southern veto.

To establish this conclusion, we need some additional assumptions about what a party will attempt to do when it captures united control of the government (that is, both houses of Congress and the presidency). I assume that party leaders attempt to make the bulk of their members better off. Formally, this requires that they seek to shift policy to within the Pareto-set of their members’ ideal points (specifically, within the convex hull of the ideal points of the party's members), subject to a set of constraints: the policy party leaders seek must both command the support of a majority of the party's members and a majority in each house against the status quo. Formally, for each house, this corresponds to the intersection of the winset of the status quo with the party's winset of the status quo, that is, $W(Q) \cap W_p(Q)$.

We also assume that party leaders possess "gatekeeping power" (Shepsle and Weingast 1981, 1987); that is, sufficient control over the consideration of bills to prevent undesirable proposals from being considered on the floor. This form of agenda power allows them to protect the status quo. It implies that party leaders will not open floor debate if an alternative does not exist that will simultaneously make a majority of their party better and pass a given house.

A policy change must meet four conditions to take place: it must command a majority in each of two houses; it must command a majority within the majority party in each house. Figure 4A.3 depicts both $W(Q)$ and $W^p(Q)$, the winset for the Senate of Q and the winset of Q for the majority party in the Senate. As can be seen, most of the latitude for policy change is along the economic dimension, with only much smaller changes possible on the dimension of slavery.\textsuperscript{45}

\textsuperscript{44}This is a common assumption in congressional models. See, e.g., Cox and McCubbins (1993) for the modern Congress, and Stewart (2000) for the 19th century ones.

\textsuperscript{45}The figure illustrates a second conclusion: in this setting equilibria do not always exist. It is clear that, because $W(Q) \neq \emptyset$, no preference-induced equilibria exist. However, what about structure-induced equilibria? Given the behavior of party leaders, the condition for an SIE is a status quo, $Q$, such that $W(Q) \cap W^p(Q) = \emptyset$. In general, this condition cannot be expected to hold. Reflecting the lack of equilibria,
To see what happens with partisan turnover, we analyze the situation in which the Democrats have lost their majority in the previous election and the Whigs take united political control, giving them the opportunity to change the status quo (figure 4A.3). What will happen? First, Whig leaders will attempt to improve the welfare of their members by moving policy into their members' pareto set, subject to the constraint \( W^s(Q) \cap W^w(Q) \). Thus, they will attempt to alter policy toward policies, such as \( w_1 \) or \( w_2 \). Despite the absence of a specific prediction about policy change following partisan turnover, this analysis yields an important conclusion: under circumstances of the balance rule, policy change following partisan turnover allows far more change on the economic dimension than on slavery. Moreover to the extent that policy can be changed on the slavery dimension it is in the direction of proslavery measures, not antislavery ones. As argued in chapter 4, antislavery initiatives could not have succeeded in the Senate.

Figure 4A.4 completes the analysis by showing what would happen if the Democrats recaptured national political control, given that the Whigs had implemented a policy such as \( Q \), the new status quo. As can be seen, the Democrats will seek to alter \( Q \) in the direction of their members' preferences. This allows considerable change on the economic dimension. It also allows some latitude, as when the Whigs took power, along the slavery dimension, but, again, largely in the direction of strengthening slavery, not weakening it. This analysis suggest that until national support for slavery approached the ideal level of many Southerners, most movement on the slavery dimension, to the extent that it changed at all, would favor proslavery preferences, not antislavery ones.

3. Adding the Separation of Powers

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the Democrats could induce a policy change from the status quo, but these entail relatively marginal adjustments in policy rather than major policy changes.

\(^{46}\)With additional assumptions about party leaders, the approach yields more specific predictions. These are not pursued here.
Thus far, the analysis has focused on the Senate. The results, however, are more general. In the American system of separation of powers, any change in the status quo must be approved by the House, the Senate, and the president. Given the antebellum preference configuration, the set of feasible policies of the Senate is roughly contained within the set of feasible policies of the House. This simplifies consideration of both houses simultaneously. Although the set of policy changes that can pass the House is larger than that which then can pass the Senate, any legislation that passes both Houses must be in the winset of the Senate, or else senators will fail to pass the bill. Thus, although the House of Representatives might pass antislavery initiatives, as in the crises over the admission of Missouri and the Wilmot Proviso, such initiatives could not pass the Senate.

Considering the presidency adds an interesting variation on this conclusion, in part because the president's preferences can differ considerably from those in the House or Senate. Still, the president cannot pass legislation on his own, but instead requires the support of both houses. This again implies that any policy change must be within the winsets of each house, and thus by the above argument, within the winset of the Senate.

The interesting implications of the presidency arises from its veto power, which allows the president can prevent certain policy changes. I consider three scenarios. In the first, a Whig president faces Whig majority in both houses of Congress. Here, the addition of a president does not change the above analysis. In the second, the preferences of the president differ markedly from those of Congress; for example, under divided government. Figure 4A.5 depicts a Whig president facing a Democratic Congress. Given the Democratic status quo, the addition of a Whig president has no effect on the analysis.

The third variation, depicted in figure 4A.6, is more interesting and shows a Whig majority taking power after the Democrats; hence, a

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47 This conclusion is subject to the qualification of the provisions for veto override. I ignore this for simplicity. As standard PPT models show, this complication is easy to add and does not alter any of the results.
Democratic status quo, but facing a Democratic president. This includes the scenario that occurred after the 1840 elections, bringing in united Whig government for the first time during the second party system. Unfortunately for the Whigs, their President, William Henry Harrison, died after only a month in office in 1841 and was succeeded by his nominally Whig Vice President, John Tyler, who opposed most Whig policies. The analysis shows that, though the Whigs in Congress seek to implement their program, as indicated by the policy \( w^* \), the president's veto power keeps the set of feasible changes within a far narrower band. Thus, a president in opposition to a Whig majority could protect most of the policies of the Democratic status quo, allowing only modest change, such as the policy \( w' \). Thus, though the Whigs captured united government in 1840, conflicts between the president and Congress prevented them from capitalizing on the opportunity to implement their program. Only minor policy changes occurred, represented in the figure by a move to \( w' \) instead of \( w^* \).

Notice also that the more populous North controlled a majority of the electoral college, allowing the election of a president who campaigned on an antislavery platform. Nonetheless, the separation of powers implied that such presidents could not implement their policies, because they faced the balanced delegations in the Senate.

### 4. The Pattern of Democratic Electoral Dominance

The model's policy implications were derived under the assumption of the Democrats' dominance of elections. Table 4.2 presents the evidence, showing the Jacksonian Democrats' dominance of the national government, from the inception of the second party system to the election of Lincoln. The Whigs were consistently losers. One indicator of a party's dominance concerns its ability to command united control of the government, capturing the presidency and majorities in both houses of Congress. United control is a necessary condition for a party to implement its platform, as illustrated by the models in section 1 of this chapter’s part
B. As long as the opposition holds at least one of the three elected branches, it can veto policy changes sought by the other party.

<table>
<thead>
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<th>House</th>
<th>Senate</th>
<th>President</th>
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<td>1837-39</td>
<td>25</td>
<td>D</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>1839-41</td>
<td>26</td>
<td>D</td>
<td>D</td>
<td>D</td>
</tr>
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<td>1841-43</td>
<td>27</td>
<td>W</td>
<td>W</td>
<td>W</td>
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<td>D</td>
<td>W</td>
<td>W</td>
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<td>D</td>
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Second party system:

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<th>President</th>
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</thead>
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<td>D</td>
<td>D</td>
<td>W</td>
</tr>
<tr>
<td>1853-55</td>
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<tr>
<td>1855-57</td>
<td>34</td>
<td>W</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>1857-59</td>
<td>35</td>
<td>D</td>
<td>D</td>
<td>D</td>
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</table>

The 1850s:

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<th>House</th>
<th>Senate</th>
<th>President</th>
</tr>
</thead>
<tbody>
<tr>
<td>1859-61</td>
<td>36</td>
<td>W</td>
<td>D</td>
<td>D</td>
</tr>
</tbody>
</table>

Table 4.2: Democrat’s Dominance of Elections, 1828-1860.

Of the sixteen Congresses between the 1828 and 1860 elections, the Democrats held united control during nearly half, seven of sixteen
Institutions, Credible Commitment, and the American Civil War

5. Conclusions

The neoclassical economic approach underlying the NEH rests on the assumption of stable property rights. It therefore cannot be used to study the issue of how economic rights, including those in slaves, were maintained. The approach in this chapter provides the missing explanation, using rights in slaves to demonstrate the intimate connection between political institutions and economic stability. The principal mechanism underlying the stability of rights in slaves during second party system was the maintenance of sectional balance in the Senate, affording each region a veto over national policymaking. Balance in the Senate credibly committed the national government to limits on its own behavior, greatly reducing the nature of threats from either region over the other. The balance rule thus helped maintain the union throughout this period. As we will see in ch ** [yet to be written], balance also underpinned many of the other institutional foundation of cooperation during this era, such as the Jacksonian Democratic alliance.

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48 This count does not include 1831-33 in which they held 50 percent of the Senate, in addition to the House and the presidency. A similar pattern of dominance is revealed when the individual institutions are considered: Democrats held the House for 12 of 16 Congresses, the Senate for 12 or 13 (again, depending upon how 1831-33 is classified), and the presidency for 12 Congresses. The Whigs and Republicans in combination held the House for only 3 Congresses, the Senate for only 3, and the presidency only for 4.

49 See North (1981) on this general point; Wright (1978, **) implies this conclusion for the case of slavery in the antebellum United States.
The model developed in part A of this chapter demonstrates the problematic nature of antebellum rights in slaves. The observation that slavery was not a principal issue of national politics during most of the antebellum era cannot be taken as an abiding fact about America. It must instead be considered part of the phenomena to be explained. The Riker thesis suggests how slavery could be undermined by a purely Northern coalition that captured control of the national government. The prospect for such an alliance gave Southerners good reason to be concerned with the political foundations of their slave economy. If economists have demonstrated no directly economic motive underpinning Southern expansion, this chapter demonstrates that they had a substantial political motive.

The solution to the Southerners' dilemma over rights in slaves involved creating national political institutions, and creating a divergence between majority public opinion and national policymaking. Balance in the Senate not only granted Southerners a veto over national policy, but it altered the incentives of Northerners to create a sectional alliance against the South. Put simply, Southern veto in the Senate implied that a purely Northern coalition could not succeed, thus inducing some Northerners to cooperate with the South to promote desirable national policy choices. For example, the Jacksonian alliance also preserved local political freedom by maintaining strict limits on the national government.

Part B of this chapter extends the fundamental results of part A to richer contexts. Four were considered: adding larger numbers, parties, the separation of powers, and variations in preferences within each region. None of these additional complications – each adding more realism to the model – alters the fundamental logic of the simpler model in part A of the chapter. Thus, despite the analytical focus on the Senate, the approach is not a Senate-centric one.

Part B also demonstrates several additional conclusions. First, the analysis showed that one of the principal political phenomena of the second party system – that partisan competition focused primarily on economic and not sectional issues – is a consequence of the balance rule in the Senate. Without the balanced delegations granting the South veto power, changes in the national policy toward slavery could be made.
Second, the analysis shows why the Democratic dominance of elections proved so important to maintaining policies of states' rights. During periods of united Democratic government, the Democrats could implement and adjust their program. During periods of divided government, they could protect their program from major changes. Only during periods of united opposition could the status quo change significantly, and even then, only on economic issues. Unfortunately for the Whigs, on the one occasion when they captured united government, in 1840, their president died, allowing a successor who opposed major elements of the Whig program, thereby denying the Whigs the opportunity to implement their program. Thus, the model captures the main contours of national policymaking throughout the entire second party system.
Chapter 5. Empirical Evidence for the Model

Chapter 4's conclusions rely on a model based on two sets of critical assumptions: (1) a specific set of relationships among the preferences of individuals from the different parties and regions; and (2) a small number of legislators. In order to demonstrate that these conclusions do not hinge on unreasonable assumptions about preferences and small numbers of legislators, I present some empirical analyses of Congress during the second party system. The results show that congressional preferences correspond to those assumed by the model and that congressional voting behavior corresponds to that predicted by the model.

Three types of evidence are presented. First, I show that the representation of regional and party preferences used throughout this book holds in practice. Political scientists often use various types of statistical scaling techniques to characterize differences in preferences and choices of members of Congress. These techniques have been applied to the 19th century for three decades (see, e.g., Alexander 1967, Bogue 1981, Brady 1990, Poole and Rosenthal 1991, Silbey 1967). I use a variant of these techniques developed by Poole and Rosenthal (1990, 1991) to show that the relationships assumed for the model hold in practice. The preferences of Whigs diverge from those of Democrats on economic issues, as assumed; so too do the regions, for example, the Northeast vs. Northwest; and Northerners and Southerners separate cleanly on questions relating to slavery. Second, based on the characterizations of congressional preferences, I construct winsets for several Congresses. Although the winset analysis of the model often relies on as few as three and four voters, the winsets are remarkably similar to those constructed for actual Congresses. Finally, using logit analysis, I investigate the approach's implications for voting behavior on a series of policy issues throughout the second party system. The model’s predictions about voting behavior are tested using a number of votes between 1830 and 1860. For example, as the model predicts, the Northeast is found to be more pro-tariff than the rest of the nation; and the South and the Northwest favor cheap land. The
The precise meaning of these scores remains the subject of considerable controversy.
the average Poole and Rosenthal Econ scores and Slavery Scores for the two parties, divided among four regional categories.\(^5\) (1) Econ variation

<table>
<thead>
<tr>
<th>Party</th>
<th>Jacksonian Democrats</th>
<th>Anti-Jacksonians</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Econ</td>
<td>Slav</td>
</tr>
<tr>
<td>South</td>
<td>-.30</td>
<td>-.26</td>
</tr>
<tr>
<td></td>
<td>(53)</td>
<td></td>
</tr>
<tr>
<td>Border</td>
<td>-.21</td>
<td>-.03</td>
</tr>
<tr>
<td></td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td>Northwest</td>
<td>-.04</td>
<td>.14</td>
</tr>
<tr>
<td></td>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td>Northeast</td>
<td>-.16</td>
<td>.21</td>
</tr>
<tr>
<td></td>
<td>(54)</td>
<td></td>
</tr>
</tbody>
</table>

Source: Poole and Rosenthal (1990)

\(^5\)The Econ and Slavery scores correspond to Poole and Rosenthal’s X and Y scores, where Econ = X and Slavery = -Y (I use the inverse of their Y score so that the data line up the same way as in the figures in the theoretical sections).
Table 5.2: Poole-Rosenthal Scores, by Party and Region, 27th Congress, 1841-43. (n)

<table>
<thead>
<tr>
<th>Party</th>
<th>Democrats</th>
<th>Whigs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Econ</td>
<td>Slav</td>
</tr>
<tr>
<td>South</td>
<td>-.37</td>
<td>-.15</td>
</tr>
<tr>
<td></td>
<td>(41)</td>
<td></td>
</tr>
<tr>
<td>Border</td>
<td>-.32</td>
<td>-.03</td>
</tr>
<tr>
<td></td>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td>Northwest</td>
<td>-.39</td>
<td>.09</td>
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<tr>
<td></td>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>Northeast</td>
<td>-.34</td>
<td>.17</td>
</tr>
<tr>
<td></td>
<td>(44)</td>
<td></td>
</tr>
</tbody>
</table>

Source: Poole and Rosenthal (1990)

by party: holding constant for region, Whigs nearly always have higher Econ scores than their Democratic counterparts. For example, in the 22nd Congress Jacksonian Democrats in the South had an average Econ score of -.29, while their Whig opponents had an average score of .17. The same relationship holds for Democrats vs. Whigs in, say, the Northwest in the 27th Congress. (2) Econ variation by region: holding constant for party, the regions stand in the same relationship as assumed above. On average, Southerners have lower Econ scores and thus least favor national policies promoting economic development; representatives from the Northeast have the highest Econ scores, indicating they are most likely to support policies promoting economic development. (3) Slavery variation by region: Southerners consistently have proslavery scores (less than zero), while Northerners have antislavery scores (greater than zero). In sum, the average scores correspond to the positions ascribed above to the various regions and parties for most of the second party system.
These relationships are easier to see in the corresponding figures 5.1 - 5.3 which display each party's regional average in the two-dimensional diagram. The horizontal dimension is the Poole and Rosenthal Econ score and the vertical dimension, their Slavery score. The figures show that the preferences of the regions were relatively stable across the years of the second party system. Moreover, as assumed in the theory, southern Democrats typically have the lowest Econ scores, with northern Democrats typically slightly higher but still on the left side (in this case, Econ < 0). Northeastern congressmen have the highest scores, with Whigs further to the right than Democrats. As in the model in chapter 4,

Table 5.3: Poole-Rosenthal Scores, by Party and Region,
32nd Congress, 1851-53. (n)

<table>
<thead>
<tr>
<th>Party</th>
<th>Democrats Econ</th>
<th>Democrats Slav</th>
<th>Whigs/Free Soilers Econ</th>
<th>Whigs/Free Soilers Slav</th>
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</thead>
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<td>(9)</td>
<td></td>
<td>(14)</td>
<td></td>
</tr>
<tr>
<td>Northwest</td>
<td>-.22</td>
<td>-.05</td>
<td>.24</td>
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<td></td>
<td>(31)</td>
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<td>(18)</td>
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<tr>
<td>Northeast</td>
<td>-.10</td>
<td>.15</td>
<td>.35</td>
<td>.06</td>
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<td></td>
<td>(49)</td>
<td></td>
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</tr>
</tbody>
</table>

Source: Poole and Rosenthal (1990)

Southern members show less variation along the economic dimension than do Northern members. With respect to slavery, the figures reveal more variation than suggested by the theory above. What is important for the model, however, is that members of Congress from slaveholding regions
Figure 5.1: Poole-Rosenthal Scores, 22nd Congress, 1831-33.

Legend

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>NE Jack</td>
<td>Northeastern Jacksonians</td>
</tr>
<tr>
<td>NW Jack</td>
<td>Northwestern Jacksonians</td>
</tr>
<tr>
<td>B Jack</td>
<td>Border Jacksonians</td>
</tr>
<tr>
<td>S Jack</td>
<td>Southern Jacksonians</td>
</tr>
<tr>
<td>NE Anti-J</td>
<td>Northeastern Anti-Jacksonians</td>
</tr>
<tr>
<td>NW Anti-J</td>
<td>Northwestern Anti-Jacksonians</td>
</tr>
<tr>
<td>B Anti-J</td>
<td>Border Anti-Jacksonians</td>
</tr>
<tr>
<td>S Anti-J</td>
<td>Southern Anti-Jacksonians</td>
</tr>
</tbody>
</table>
Figure 5.2: Poole-Rosenthal Scores, 27th Congress, 1841-43.

Legend

| NE Dem  | Northern Democrats |
| NW Dem  | Northwestern Democrats |
| B Dem   | Border Democrats    |
| S Dem   | Southern Democrats  |
| NE Wh   | Northern Whigs      |
| NW Wh   | Northwestern Whigs  |
| B Wh    | Border Whigs        |
| S Wh    | Southern Whigs      |
Figure 5.3: Poole Rosenthal Scores, 32nd Congress, 1851-53.

Legend

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>NE Dem</td>
<td>Northeastern Democrats</td>
</tr>
<tr>
<td>NW Dem</td>
<td>Northwestern Democrats</td>
</tr>
<tr>
<td>B Dem</td>
<td>Border Democrats</td>
</tr>
<tr>
<td>S Dem</td>
<td>Southern Democrats</td>
</tr>
<tr>
<td>NE Wh</td>
<td>Northeastern Whigs and Free Soilers</td>
</tr>
<tr>
<td>NW Wh</td>
<td>Northwestern Whigs and Free Soilers</td>
</tr>
<tr>
<td>B Wh</td>
<td>Border Whigs and Free Soilers</td>
</tr>
<tr>
<td>S Wh</td>
<td>Southern Whigs</td>
</tr>
</tbody>
</table>
have lower scores than do those from the South; specifically, that nearly all Southerners have lower scores than nearly all Northerners. As the figures reveal, this holds in virtually all cases. Part V analyzes the importance of separation between the regions on this dimension.

Map 5.1 provides another display of the regional variation in preferences. It presents the economic preferences of each state as the mean of its House delegation's Econ score for 1846. The pattern revealed in the above tables is readily apparent. Those with high scores (above .15) are nearly all located in the Northeast; five of this region's nine states have high scores. In contrast, the Northwest and South are dominated by states with low scores (below -.15), and only six of their 20 states have higher scores. Put simply: average voting behavior on economic issues in the Northeast differs from that in the Northwest and South precisely as modeled above.

2. Statistical Analyses of Congressional Voting

The above theory of the second party system affords a range of predictions about congressional voting behavior. In this section, I focus on two. First, economic issues divided regions and parties in predictable ways, with Democrats, typically of the Northwest and South, against the Whigs, concentrated in the Northeast. Second, slavery caused congressmen to defect from their party and vote on the basis of section. These are considered in turn.

Economic issues. I present two analyses of economic issues. My investigations indicate that the patterns revealed here reflect those in a wide range of economic issues during the second party system. The first issue studied concerns the vote on final passage of the bill to recharter the second Bank of the United States in 1832. The controversy was one of the

[52] Although these figures show a smaller range along the slavery dimension than depicted in the model, the critical feature for the model is whether virtually all Northerners can be separated from Southerners by a line. This holds for figures 5.1-5.3 and in the constructed winset in chapter 4.

[53] Very similar results were obtained using Silbey's (1967, Appendix II) scores.
most famous of the Jackson administration, resulting in Jackson’s veto. Jackson opposed the Bank as a Federalist (and Whiggish) mechanism for national control over banking.

The above perspective yields the following predictions. Jacksonians should be observed to have opposed the bank, and Whigs, to have favored; the Northeast should be observed to have been more favorable than the rest of the nation; and finally, Poole and Rosenthal's economic score should be positively associated with measures favored by Whigs, and hence with favoring the Bank rechartering measure, while the slavery dimension should not affect voting on this measure.

A vote of yes is coded as a 1. The independent variables distinguish among three regions. The dummy variables NE and SOUTH take on the value 1 if a congressman is from either of those regions (and hence a congressman from the Northwest has the value of 0 for both). Both Poole-Rosenthal scores are used: ECON, reflecting the economic dimension), and SLAVERY, reflecting the sectional dimension. The variable PARTY is 0 if the congressman is a Whig, 1 if Democrat. Three dummy variables represent splinter parties: ANTIMASON, NULLIFIER, and AMERICAN.

The results are shown in table 5.4. Two specifications are reported for each economic issue. This reflects the high correlation between PARTY and ECON, as revealed by the discussion of tables 5.1-5.3, and hence the difficulty of measuring their independent effects. In specification (1), using both PARTY and ECON, the latter is highly significant, though PARTY is not. As expected, higher values of this index lead to a greater probability of voting in favor of the Bank. In specification (2) without ECON, PARTY is highly significant, and the Jacksonians are less likely to support the Bank. Because those congressmen with lower ECON values are more likely to be Jacksonians, these two effects are confounded and are difficult to pull apart statistically. In neither specification is SLAVERY significant, indicating that voting on this economic issue was uncorrelated with preferences over the slavery dimension.
Table 5.4: Logit Analyses for Various Economic Issues.

<table>
<thead>
<tr>
<th>Variable</th>
<th>U.S. Bank (1832)</th>
<th>Tariff (1846)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1)</td>
<td>(2)</td>
</tr>
<tr>
<td>Constant</td>
<td>-2.27* (2.63)</td>
<td>-2.43* (2.74)</td>
</tr>
<tr>
<td>NE</td>
<td>2.02* (2.10)</td>
<td>1.68* (1.80)</td>
</tr>
<tr>
<td>SOUTH</td>
<td>3.40* (3.21)</td>
<td>1.25 (1.32)</td>
</tr>
<tr>
<td>ECON</td>
<td>8.23* (4.82)</td>
<td>-17.78* (3.69)</td>
</tr>
<tr>
<td>SLAVERY</td>
<td>-2.05 (1.44)</td>
<td>-.74 (.61)</td>
</tr>
<tr>
<td>PARTY</td>
<td>.19 (.20)</td>
<td>3.94* (6.09)</td>
</tr>
<tr>
<td>ANTIMASON</td>
<td>.33 (.26)</td>
<td>-3.31* (3.04)</td>
</tr>
<tr>
<td>NULLIFIER</td>
<td>.31 (.19)</td>
<td>-3.04* (2.12)</td>
</tr>
<tr>
<td>AMERICAN</td>
<td></td>
<td>-2.56 (.06)</td>
</tr>
</tbody>
</table>

Percent Correctly Predicted
(a) Null Model 53.9 53.9 54.8 54.8
(b) This specification 85.4 82.0 93.3 90.4

*Significant at the .05 level
Another way to see the implications of these results is to calculate the estimated probability that a congressman with a given set of characteristics votes in favor of the Bank (table 5.4). The table reveals a clear pattern: For each region, Jacksonians were systematically less likely to vote in favor of the Bank; for each party, those in the northeast were systematically more likely to favor the Bank. This pattern corresponds precisely to that predicted by the theoretical model.

The second economic issue studied is the tariff of 1846, passed by the Democrats to lower rates. Based on a report by Secretary Walker, "an avowed free trader" (Turner 1935), this bill sought to lower rates from those in the 1842 Whig tariff. The expected pattern is that Democrats should favor the bill and Whigs should oppose it. Similarly, holding constant for party, those in the NE should be more likely to support higher tariffs and hence oppose the 1846 bill to lower them.

<table>
<thead>
<tr>
<th>Table 5.5: Estimated Probabilities of a Congressman Voting for The United States Bank, by Party and Region, 1832</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Region</strong></td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>Northwest</td>
</tr>
<tr>
<td>Northeast</td>
</tr>
</tbody>
</table>

The relevant variables are the same as those for the bank, except that the minor party is now the American. The results parallel those for the Bank (table 5.4). The Northeast is negative (though not significant in specification 3). The index of economic preferences, ECON, is highly significant and, as expected, negatively related to support to lower the tariff. As before, PARTY is not significant in the presence of ECON, but without ECON (specification (4)), it is highly significant in the predicted
direction. The variable SLAVERY is also insignificant, indicating that preferences over this dimension played little role in this economic question.

Here too, the predicted probabilities reveal the general pattern underlying the vote (table 5.6). The strongest effect revealed by the table is that Whigs nearly uniformly supported a high tariff, and Democrats, a low one. There is also a modest regional effect in the predicted direction: within each party, congressmen in the Northeast are slightly less likely to support the bill than those in the South or Northwest.

<table>
<thead>
<tr>
<th>Region</th>
<th>Party</th>
<th>Democrat</th>
<th>Whig</th>
</tr>
</thead>
<tbody>
<tr>
<td>South</td>
<td></td>
<td>1.00</td>
<td>.06</td>
</tr>
<tr>
<td>Northwest</td>
<td></td>
<td>.99</td>
<td>.05</td>
</tr>
<tr>
<td>Northeast</td>
<td></td>
<td>.92</td>
<td>.00</td>
</tr>
</tbody>
</table>

The estimated probabilities of voting for the tariff by state are plotted in Map 3. These reflect the differences in distribution of party and ECON scores between regions, both working to lower the probability of support in the Northeast and raise it in the South and Northwest. As indicated by the figure, two-thirds of the states in the Northeast favored high tariff rates, while two-thirds of the states in the Northwest and the South favored low tariffs.

**Slavery.** During the War with Mexico, Wilmot's Proviso sought to prohibit the land gained in the war from becoming slavery territory. A sufficient number of Northern Democrats defected from their party to vote against slavery.
Table 5.7: Logit Analyses of the Wilmot Proviso, 1846.

<table>
<thead>
<tr>
<th>Variable</th>
<th>Wilmot Proviso (1)</th>
<th>Wilmot Proviso (2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constant</td>
<td>-2.51 (1.29)</td>
<td>-1.43 (1.58)</td>
</tr>
<tr>
<td>NE</td>
<td>-3.73* (2.86)</td>
<td>-3.52* (3.50)</td>
</tr>
<tr>
<td>SOUTH</td>
<td>.58* (.43)</td>
<td>.29* (.23)</td>
</tr>
<tr>
<td>ECON</td>
<td>3.26 (.64)</td>
<td></td>
</tr>
<tr>
<td>SLAVERY</td>
<td>21.78* (3.51)</td>
<td>20.77* (3.48)</td>
</tr>
<tr>
<td>PARTY</td>
<td>5.69 (1.67)</td>
<td>3.71* (2.94)</td>
</tr>
<tr>
<td>(Whigs)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AMERICAN</td>
<td>-8.72 (.17)</td>
<td>-7.35 (.13)</td>
</tr>
</tbody>
</table>

Log Likelihood

Percent Correctly Predicted
(a) Null Model 53.8 53.8
(b) This specification 94.2 95.3

*Significant at the .05 level
The logit analysis of this vote relies on the same variables as used above\textsuperscript{54}. Table 5.7 presents the estimations and reveals a striking regional pattern. Both the NE and SOUTH are as expected. Neither the economic variable, ECON, nor PARTY is significantly different from zero and, unlike in the analyses of the economic issues, PARTY is not significant when ECON is dropped. In contrast to the economic votes, the effect of SLAVERY is both large and highly significant. Region is clearly the single most important factor. Only one Southerner failed to vote to table the motion. In contrast, Northern congressmen voted seven to one against tabling (91 to 13).

Implications of the logit analysis for the model's predictions. The logit estimations provide further evidence for the model's two central predictions. The first holds that votes on economic issues should divide congressmen preferring agrarian expansionism from those preferring commercial development. The former, for example, should vote against tariffs and the bank while those favoring commercial development should favor both. The model further predicts that these divisions should be uncorrelated with preferences for slavery. The second prediction is that questions relating to slavery should divide members along the slavery dimension and be uncorrelated with members' preferences for the economic dimension.

The specific prediction regarding economic issues is shown in figure 5.4. The figure depicts a set of legislators, whose ideal policy alternatives are shown as dots. Also shown are the status quo, Q, and a policy alternative, A, under consideration by the floor. Given the assumptions about preferences, legislators will vote for the alternative that is closer to their ideal point. This implies that a vertical "cutting line" divides those legislators voting for A from those voting against it. The predicted cutting line is shown as the dashed line on the figure.

\textsuperscript{54}Of the many votes on the Proviso, we use the motion to table the motion to engross. According to Riker (1982, 225) this was "the largest and crucial vote."
The logic analyses described above provide a test of the prediction. In both economic issues studied in table 5.4, the ECON score was statistically significant while the SLAVERY score was not. Put differently, the estimated probability that a member favors the issue changes with his ECON score, but not with his SLAVERY score, corresponding to a vertical cutting line.

The evidence for the vertical economic cutting line can be seen graphically by plotting the estimated probabilities of voting for the economic measure against both the ECON and SLAVERY scores. Because the estimated relationships are multidimensional, they cannot be
graphed directly. Nonetheless, the relationships can be visualized by scatter plot matrices, plotting several relationships side by side. The model predicts that we should observe a logistic (a type of S-shaped) curve rising sharply at the value which the cutting line crosses the ECON dimension. No such smooth, logistic curve should be observed on the SLAVERY dimension.

The results are shown in figures 5.5 and 5.6, showing the relationships between the estimated probability of voting for the 1832 renewal of the United States Bank and for the 1846 tariff bill, respectively. Each figure contains three figures, and the patterns shown are remarkably similar. The panel in the lower left plots the two independent variables, ECON and SLAVERY. Each dot is a congressman. The panel above plots the estimated probability of voting for the United States Bank, PBANK, as a function of ECON. As can be seen, the relationship shows a sharply sloped logistic (S-shaped) curve. Corresponding to the statistical significance reported in table 5.4, this figure dramatically shows the relationship between ECON and the probability of voting for the Bank: the higher the score, the greater the probability of voting yes. In contrast, the panel to the right plots the estimated probability against the SLAVERY dimension (thus, the independent variable here is on the vertical axis). As can be seen, no smooth relationship exists, indicating little relationship between the SLAVERY score and voting for the Bank. Figure 5.6 reveals the identical relationships for the tariff vote, where PTAR is the estimated probability of voting for the tariff bill (note that since this bill sought to lower tariffs, those favoring high tariffs — high scores — should be observed to vote against, which occurred).
Figure 5.5: Relationship between Poole Rosenthal Scores and the Estimated Probability of Voting to Renew the U.S. Bank in 1832.
Figure 5.6: Relationship between Poole Rosenthal Scores and the Estimated Probability of Voting on the Tariff, 1846.

Similar predictions hold for a proposed change on the slavery dimension, as illustrated in figure 5.7. The figure shows a horizontal cutting line, indicating that changes along the slavery dimension should divide members of the legislature without respect to their economic preferences.
The logit analyses reported in table 5.7 provide evidence favoring this prediction. The statistical significance of the SLAVERY score and the insignificance of the ECON score indicate that the estimated probability that a member favors the Wilmot proviso changes with his SLAVERY score, but not with his ECON score, corresponding to a horizontal cutting line. Figure 5.8 illustrates this result graphically, and shows exactly the opposite pattern from that revealed in figures 5.5 and 5.6. As before, the lower left panel plots each member's two scores. The panel above plots his estimated probability of voting against the Wilmot Proviso, PWILMOT, as a function of his ECON score. The relationship is not statistically
significant. The panel in the lower right, however, shows a clear pattern, with the probability of voting against the proviso rising as the SLAVERY score decreases.

In sum, the logit estimations reveal political relationships in Congress strongly parallel those in the theoretical model.
3. Conclusions

This chapter has provided a series of empirical analyses investigating the central relationships assumed by the model in chapter 4. It also investigated a series of the model's predictions using congressional voting data. The results conform to the model in several senses. They show that the simplified portrait of preferences used in the theoretical model hold in practice. Members of Congress from the various regions and parties have precisely the relationships assumed in the theory. Further, chapter 4's construction of a winset for the House and Senate during the second party system shows a remarkable similarity to that in the simple theoretical model.

The voting analyses show that the model's predictions about voting behavior are observed in practice during the second party system.

Taken together, the analyses of this section provide considerable support for the model.
Chapter 6: Sectional Balance as the Foundation of Antebellum Politics

The approach developed in chapter 4 shows that public opinion alone failed to provide the basis for the principal phenomena of antebellum American politics: federalism with limited national government; the preservation of rights in slaves; a set of stable, intersectional coalitions suppressing sectional issues; and the observed importance of local over national politics for most individuals. The model demonstrates just the opposite. A purely Northern coalition remained a possibility throughout the antebellum era, and such a coalition would have had at most a minimal commitment to preserving the values, property, and institutions of the South. Moreover, a Northern coalition would also have had much less commitment to states' rights. The model suggests that a northern coalition would promote a more active federal government, as sought by many Whigs during the second party system.

In this chapter, I argue that sectional balance rule stood as the very foundation of antebellum politics and that its consequences include the fundamental political phenomena of this era. Part B of ch. 4 revealed the logic of how sectional balance underpinned two central phenomena of the era: first, it protected slavery from intrusion by the national government throughout the second party system; second, in the presence of sectional balance, partisan competition between Whigs and Democrats focused on economic issues, not sectional ones. This chapter extends the argument to show that, first, balance underpinned the formation of the two parties, beginning with the Democrats under Jackson. Second, balance was central to the maintenance of a national government limited in scope. This had two further consequences: it made federalism self-enforcing; and it provided for a national political environment in which local politics could loom larger than national politics for many if not most individuals. Finally, balance, together with concerns about how to protect slavery within the national political system, underpins most of the central antebellum political events: the Missouri Compromise, the nullification controversy, the Mexican-American War, and the crisis over the Wilmot Proviso. As
discussed in part IV, Southern demands about maintaining sectional balance were intimately connected with the principal events of the 1850s involving slavery, including the Compromise of 1850, the Kansas-Nebraska Act, the success of the Republican party, and the disastrous attempt by the Buchanan administration to admit Kansas as a slave state in 1858. The approach thus ties a series of central phenomena of the era to the balance rule.

The models presented in chapter 4 show that the preservation of slavery within the federal system required the deliberate construction of institutions to produce that end. In the presence of the balance rule, the Democratic party engineered a system that gave it an advantage at competing in the South, in part by providing additional protection for slavery.

The Democrats' success hinged on a fundamental political exchange. Since independence, Southern participation in a union stronger than the Articles of Confederation depended on clear and substantial limits on the ability of the national government to intrude into local political affairs, especially on its ability to affect slavery. This attitude, in turn, presented Northerners with a choice: accept the union with the proviso of strong protection for slavery or no union at all. Given the substantial advantages of union — for both economic specialization and growth; and for international security — a sufficient number of Northerners were willing to accept the proviso and its implications. Part of the attraction to many Northerners was that the Democrats’ states' rights philosophy suited their demand for local political freedom, requiring a strictly limited national government.

The Democrats’ electoral dominance implied that they could implement and maintain their policies and constitutional jurisprudence of states' rights. In combination, this meant a limited national government and hence the maintenance of federalism. That preserved local political freedom, and with it, Southerners’ ability to protect slavery. All this hinged, however, on the balance rule. Without sectional balance, the payoff to defecting from the Democratic coalition would have been far higher, and may well have proved tempting, upsetting the confines on the national government set by the Democrats.
The argument is developed as follows. The chapter first discusses the role of the Democratic party, emphasizing its institutions and conventions designed to protect slavery and promote the interests of Southern slaveholders. It then shows how a seeming consensus protecting slavery was constructed. The following section discusses the implications of national institutions, based on the balance rule, supporting the appearance of a consensus in the nation that slavery ought to be preserved. Next, the chapter ties together its results and those of chapter 4 by showing how the balance rule systematically underpinned the major phenomena of this era, including those emphasized by the NPH. The last section considers an alternative explanation provided by the NPH, showing evidence against that perspective in favor of that presented here.

1. The Democratic Party, States' Rights, and Electoral Success

The Democratic party's dominance of elections granted it hegemonic status during the second party system. The Democrats out-competed their opponents for control of each of the three elected branches of the national government by three to one, and, for capturing united government, six to one (see chapter 4, especially table 4.2). In part, the Democrats' electoral success was due to the preferences of individuals throughout the country — the predominance of farmers and planters. But it was also due in part to its stand on slavery and its willingness to champion strong limits on the intrusion of the federal government into local affairs and economic decisionmaking. A combination of policy goals and institutions governing the party gave the Democrats a comparative advantage in competition for votes. As most Americans wanted a system of strong property rights, local political freedom, and limited national government, the Democrats' stand as the party of states' rights made them especially attractive. States' rights in combination with proslavery positions gave democrats a special advantage in the South (Weingast 1993a). The national policy position of the Whigs, as indicated by Clay's American system, required a more active national government. Whigs were thus less identified with the idea of
states' rights. They were also less aggressively proslavery and less dependable in their policies toward slavery.

Beyond making campaign promises about policy choices, the Democratic party sought to commit credibly to these positions, including its proslavery stance. Three commitment mechanisms concern us. First, the rules governing the selection of the party's nominee for president required the support of two-thirds of all delegates, not just a bare majority (Aldrich 1995, Potter 1976, 1972). The two-thirds rule granted the South a veto over the Democratic nominee, ensuring that no known opponent of slavery would ever be nominated by the party. Beyond slavery, the two-thirds rule ensured that almost no candidate with a controversial agenda could attain the national government. In practice, this created a big bias toward states' rights because it meant that candidates with an agenda for expanding the national government’s powers could not be nominated.

Second, the party adopted a set of policies and a constitutional jurisprudence that emphasized a strong version of states' rights. This served several purposes simultaneously. First, the Democrats' stands had considerable popular appeal across America. Because most citizens favored local political freedom and thus a limited national government, they found the Democratic states' rights views attractive. Second, as the Whigs favored a larger presence of the federal government in economic development, the states' rights view made it harder for Whigs to design and implement their favored policies. Third, the Democratic states' rights views precluded a major role for the national government in the economy, limiting the precedents that might be used to rationalize a greater role concerning slavery.

The third mechanism in the Democratic party's commitment to supporting slavery concerned the Supreme Court. The Democrats'
dominance of elections allowed them, in turn, to dominate appointments to the Supreme Court. As a consequence, the Court's interpretation of the Constitution reflected a decidedly Democratic cast during this era (notably, during most of the Taney Court from 1836 until Lincoln's election). Thirteen justices were appointed to the Court between the first election of Jackson in 1828 and the election of Lincoln in 1860. One way to see the Democrats’ influence is to look at appointments under united versus divided government: when presidents face an opposition party in the Senate, they compromise their own preferences so as to increase the chances of the nominee’s success. Further, they succeed far less frequently. Maltese (1995, 2-9) shows that, over the history of the Court, a president facing a Senate of the same party had his nomination confirmed in 87.9 percent of the cases. Under divided government, the fraction is barely above one-half, at 54.5 percent.

As revealed by table 6.1, Democrats appointed 11 justices during periods when they held united government, leaving their opponents relatively little influence. In the two other cases, the Democrats retained some influence by holding one of the two branches. The Whigs were unable to appoint a single justice when they held both branches. Currie (1985, 230) reports that of the 13 appointments only one Whig ascended to the Court.

<table>
<thead>
<tr>
<th>Party Combination (president-senate)</th>
<th>Number of Appointments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Democrat-Democratic</td>
<td>11</td>
</tr>
<tr>
<td>Opposition'-Democratic</td>
<td>1</td>
</tr>
<tr>
<td>Democrat-Opposition</td>
<td>1</td>
</tr>
<tr>
<td>Opposition-Opposition</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: Austin (1986, table 1.5)

**Table 6.1:** Democrats' Dominance of Supreme Court Appointments, 1828-1860.
In sum, the balance rule, the Democrats efforts’ to attract the South, and the Democrats’ electoral dominance all combined to provide Southerners with multiple layers of commitment binding the national government to protect the rights of slaves.

2. Constructing a Political Consensus over Slavery

Throughout the second party system, measures to halt the expansion of slavery were rare and typically failed, while many of those promoting it succeeded. This resulted in the appearance of a national consensus supporting slavery. As Fogel (1989) has argued:

Politicians were initially unwilling to make the abolition of slavery an issue of national politics because they believed that the Constitution enjoined them from doing so. [Fogel calls this] a "federal consensus," a consensus as prevalent among politicians of the North as of the South (p. 281, emphasis added).

It is important to recognize the basis for this consensus. It is clear that it does not reflect a uniform belief or preference among Americans supporting slavery. Nor does it reflect the notion that the Constitution prevented politicians from advancing the antislavery measures they preferred. As discussed below, failed antislavery initiatives were simply too prevalent for there to have been consensus of beliefs.

Instead, the phenomenon identified by Fogel must be interpreted as a "constructed consensus," meaning that the appearance of a consensus was the result of a series of constraints that limited the ability of those who opposed slavery to succeed in their antislavery measures. The constructed consensus was a direct consequence of the balance rule and other institutions (for example, the practices of the Democratic party noted above) that dramatically altered the incentives of those preferring antislavery measures. In the presence of these institutions, individuals opposing slavery chose not to advance their position for strategic reasons. Because they could not succeed in the presence of the balance rule, their
efforts would at best be symbolic. The expected costs thus exceeded any reasonable expectation about benefits. All but the most ideological individuals would therefore be deterred from advancing a sustained assault on slavery. During the second party system (and in the presence of the balance rule), only a small and relatively unimportant group, the abolitionists, consistently advocated antislavery measures. This perspective further implies that serious antislavery initiatives would have to focus on the balance rule; for example, preventing Southerners from expanding in parallel with the North.

<table>
<thead>
<tr>
<th>Year</th>
<th>Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1804</td>
<td>The Hillhouse amendment sought to prohibit slavery in the Louisiana Purchase. Passed the House, failed in Senate.</td>
</tr>
<tr>
<td>1818-19</td>
<td>Talmadge amendment to the Missouri statehood bill, seeking to abolish slavery in Missouri, passed the House, failed the Senate.</td>
</tr>
<tr>
<td>1836</td>
<td>Amendment proposed in the House to the Arkansas statehood bill that would abolish slavery in Arkansas (failed).</td>
</tr>
<tr>
<td>1836-44</td>
<td>Gag rules needed to prevent antislavery petitions.</td>
</tr>
<tr>
<td>1836-45</td>
<td>Northerners delay the admission of Texas for almost a decade.</td>
</tr>
<tr>
<td>1845</td>
<td>Motion in the House to suspend the rules to allow an amendment to the Texas statehood resolution that would split Texas into one slave state and one free state. The motion was supported by a majority of 92-81, but failed to achieve the two-thirds support required.</td>
</tr>
<tr>
<td>1846-50</td>
<td>The Wilmot Proviso, seeking to prohibit slavery in the territory obtained from Mexico, passed the House but failed in the Senate. Despite numerous attempts at compromise,¹ the House stood by the Proviso for four years, creating deadlock.</td>
</tr>
<tr>
<td>1858</td>
<td>Northerners in the House defeated the Democrats' attempt to reinstate balance by admitting Kansas as a slave state.</td>
</tr>
</tbody>
</table>

Note: ¹ Two compromise proposals failed in the House: (1) The 1848 attempt to extend the 36°30′ line to the Pacific; (2) the Clayton Compromise, organizing Oregon without slavery, California and New Mexico without reference to slavery; and referring all

Table 6.2: Northern Anti-Slavery Measures in the House, 1800-1860.
Despite the relative infrequency of antislavery measures, concerns about slavery were never far below the surface during the second party system. If, during most of the era, slavery's opponents could not mount a sustained campaign against it, they could attack it with some regularity. Table 6.2 reveals some of the major antislavery initiatives and actions during the first six decades of the 19th century.

Several aspects of this table are striking. First, antislavery initiatives arose periodically, revealing the absence of a consensus in which all Americans accepted slavery. Second, these initiatives often succeeded in the House, reflecting the relative power of the North based on its greater population. This includes the Hillhouse amendment to prohibit slavery in the Louisiana Purchase, the Talmadge amendment to abolish slavery in Missouri, and the Wilmot Proviso to prohibit slavery in the territory gained from Mexico. Were the Senate not constructed to provide a Southern veto, one or more of these measures might have succeeded. Indeed, there is little reason to believe that they would not have succeeded.

The table also reveals that efforts to resist the proslavery measures were quite strong; for example, delaying the admission of Texas for nearly a decade.

The table reveals that, had the political institutions of the United States not been constructed to provide the South with credible commitments to slavery, one of the major challenges to slavery during this period might well have succeeded. The phenomenon of the appearance of a consensus cannot be taken as an abiding fact of the period. It was instead the product of a series of choices designed to create just that result.

3. Sectional balance and the foundation of antebellum politics

Historians frequently mention sectional balance in their accounts of the antebellum era, especially accounts studying the means by which the friends of slavery sought to protect it (cites: McPherson 1988, Potter 1976). No account, however, has understood the pervasive influence of sectional balance on antebellum American politics and policy choice. The
analysis of this chapter demonstrates that a series of central phenomena of
the era fundamentally rests on the balance rule.

The Democrats' dominance of elections and the national government provided several layers of protection to Southerners. The rules governing the Democrats' choice of their presidential nominee ensured Southern sympathizers. As the more consistently proslavery party, the Democrats were the primary promoter of slavery's expansion, including the maintenance of sectional balance in an expanding nation. The Democrats' proslavery positions combined with their ability to win national elections to ensure policies sympathetic to slaveholders. In short, Democratic policies resulted in a relatively limited national government, preserving local political freedom in general and state laws preserving rights in slaves in particular; their constitutional jurisprudence combined with their dominance over appointments to the Court to provide a sympathetic reading of the Constitution.

The balance rule also provided the foundation for the fundamental features of the era emphasized by the NPH. The model in chapter 4 shows why balance limited electoral competition to economic concerns. In the presence of the balance rule, only modest changes on the slavery dimension were possible, and these largely in the direction of increasing protection for slavery, not decreasing it. As long as Southerners held their veto and had preferences which were substantially more proslavery than Northerners, virtually no change could be made in an antislavery direction. In the face of differing ideologies, institutional constraints led Democratic and Whig leaders to compete largely over economic issues, not sectional ones. The relative prominence of economic issues in national politics is thus a direct consequence of the balance rule and its direct limitations on the prospects of sectional measures.

This system also provided the basis for the NPH's finding of the seeming importance of local politics. Although this behavior reflects an important aspect of the second party system, it cannot be taken as an abiding fact of antebellum America. Instead, it is a direct consequence of national political institutions, such as the balance rule, the Democrats' states' rights constitutional jurisprudence, and the striking limits they imposed on the ability of the national government to intrude in local
Institutions, Credible Commitment, and the American Civil War

matters. The preference for local political freedom was not self-actualizing, but required the maintenance of federalism with strong limits on the national government. As long as those limits were binding, many, perhaps even most, individuals could safely ignore national politics. Whenever those limits were threatened, however, individuals turned their attention toward national politics. Thus, the behavior noted by the NPH concerning the preference for local politics directly depended on national institutions that maintained limits on the national government. The balance rule served as the foundation of all of these.

With the balance rule in effect, neither party had an incentive to embrace a major antislavery campaign. This is clear for the majority party, the Democrats. Because their strategies garnered them the lion’s share of national electoral success, they had no reason to alter them. The same conclusions held for the Whigs. As long as the balance rule remained in effect, no major antislavery initiative could succeed. Aggressive pursuit of such an initiative would be very costly, potentially disrupting the union (whether literally through secession or through deadlocking the government when antislavery measures were pressed). Yet such a measure would have little direct payoff because it could not succeed. A sustained antislavery campaign was therefore not in the Whigs’ interests.

The approach thus provides an explanation for the consensus over slavery that looms so large in Fogel's (1989) account. It was a constructed consensus, reflecting the deliberate choice of institutions that prevented those opposing slavery from being able to succeed.

Finally, antebellum political institutions rested on the preferences and values of citizens. Because most citizens favored limited government, they favored institutions that would promote this end, including the Democrats and their states' rights view of the Constitution. The balance rule and the Democratic party, with its special rules, could not have succeeded without a majority of citizens valuing the outcomes produced by these institutions. As Potter (1976, **) observed, the citizens supported the Democratic party, with all its implications for slavery and national politics, as a means of preserving the cooperation inherent in the Union.

[quote here]
4. Two Crises over the Expansion of Slavery

Sectional balance was a prominent concern in national politics from the beginning of the republic. Its history prior to the Civil War involves agreements lasting for a generation punctuated by significant crises (1820, 1846-50, and 1854-60), with the last leading to Civil War.

The crisis over Missouri and that over the territories gained by the Mexican War illustrate the themes developed here. Each crisis resulted from a complex web of problems, and they differed in important ways. Yet they had important similarities. Both arose in part from concerns about the long-term balance between the regions. In both cases, Northerners formed a majority in the House and used the issue of slavery as an instrument to hold up expansion sought by Southerners. This forced the South to use its veto in the Senate to counter the Northern initiative. Both crises also forced the nation to face the question of renewing the credible commitment to slavery while not allowing slave states to dominate.57

The original agreement between the North and South at the time of the Constitutional Convention lasted a generation — as long as the United States was confined to the territory under its control at the time of the Convention, which Nichols (1963) called the "original quadrilateral" (the original Northern states, the original Southern states, the Northwest territory, and the Southwest territory). Once the trans-Mississippi territory began to be settled, however, new problems arose because the old agreement did not pertain to them. As slaveholders settled the first areas of the new territory, new concerns arose about balance.58 A crisis erupted when Missouri sought statehood, as this threatened to shift the balance of national political influence toward the South.

In 1819, Congressman Talmadge of New York reacted to the threat by moving a two-part amendment to the Missouri statehood resolution in the House. The amendments provided for a prohibition on importing new

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57 Though it had fewer consequences and did not lead to a crisis, consideration of the organization of the Louisiana territory in 1804 also exhibited many of these traits.
58 Other events of the second decade of the 19th century are also relevant, such as the War of 1812, highly unpopular in the Northeast, leading to a secession convention at Hartford in late 1814.
slaves into Missouri and for a gradual emancipation of slaves already resident. The amendments passed on a regional vote with the North voting heavily in favor and the South nearly completely against (Moore 1953, pp**). Equal representation in the Senate prevented a similar provision from passing that body, and a crisis ensued. The opposed interests ultimately resolved the crisis by making the balance rule explicit, admitting Missouri as a slave state balanced by the admission of Maine. The compromise also established a new agreement about the division of territories beyond the Mississippi. Creating the 36°30’ line dividing free territory from slave provided the North with the security that the entire remaining territory of the Louisiana Purchase would not become slave (Nichols 1963). Clearly, both regions were concerned about political balance (Meinig 1993, Roback 1991).

This episode underscores the role of institutions. Had the North held a majority in the Senate, there would have been nothing to stop a measure similar to Talmadge's from passing in that body. Without institutional safeguards, Southerners may well have failed to get Northerners to renew the agreement to maintain a credible commitment to protect rights in slaves.

The Missouri Compromise created two asymmetries, the second of which was to haunt the South in the 1850s. The first concerned the notion that the land covered by the agreement most in demand for settlement over the next 15 years was the Southern portion of the territory and thus likely to be settled by Southerners. The second asymmetry was that the lion's share of the land went to the North. At the time of the agreement, the second asymmetry was not particularly important, since few people were likely to move into the remote regions and thus the demands for statehood remained far in the future. But after the admission of Arkansas in 1836, particularly once some of the trans-Mississippi territories began to be settled, and as the remaining states of the old Northwest territory began to be admitted (Michigan and Wisconsin), the balance appeared to shift toward the North.

President Polk, newly elected on a platform of manifest destiny in 1844, addressed this problem in two ways. First, his administration
sponsored the admission of Texas in 1845. Second, it launched the War with Mexico, in part to create a new empire for slavery.

The territory gained through the War with Mexico led to a confrontation paralleling that during the crisis over Missouri. Many factors underlaid the support for the antislavery initiative: notably the lowering of tariff rates and President Polk's giving up concerns about Oregon; concerns over the future of sectional balance were also central (McPherson 1988, Potter 1976; others).

When, in 1846, Congress considered the appropriations bill to resolve the war, Congressman Wilmot (D-PA) brought his now famous proviso before the House, seeking to prohibit any of the territory obtained via the war from becoming slave territory. Though the South fought the proviso, it passed the House on a regional vote. Again, the South needed its veto in the Senate to prevent the North from defecting from the previous compromise by voting to limit the extension of slavery\(^5\). The proviso led to bitter political fights over the next four years, deadlocking national politics. The crisis took four years to resolve, ending only with the Compromise of 1850. Unfortunately, this compromise did not settle the problem for another generation (McPherson 1988, Potter 1976, and Theriault and Weingast 2002).

These two crises, a generation apart, reveal the same phenomenon: the clear inclination of Northerners to form a sectional coalition against the South. As demonstrated by the model in chapter 4, no natural force suppressed regional motives. Both crises reveal the long-term threat to the South: that sufficient numbers of the South's coalition partners could defect to join other Northerners in a purely sectional coalition. The Northern coalition dominated the House during both crises, reflecting Northerners' greater population. Therein lay the clear and present danger for the South.

\(^5\)Although many historians recognize the South's veto in the Senate, they typically fail to see its fundamental implications; that is, that it underpinned the entire system of antebellum politics. For example, McPherson (1988, 54) notes the veto's role in the Wilmot Proviso controversy but does not draw its implication beyond that instance: "the South's greater power in the Senate (15 slave states and 14 free states. . .) enabled it to block the proviso there."
The importance of the Talmadge amendment along with the intransigence of the North during the early phases of negotiation demonstrates not only the potential divisiveness of slavery but also that it was never far from the surface and could violently erupt at any time. Northerners did not passively acquiesce to the existence of slavery, and the possibility of their acting against it was an omnipresent feature of antebellum politics. Care had to be taken to make sure that regional motives did not gain the upper hand, and the balance rule in the Senate proved one of the principal means.

Moreover, the need for and implications of the Southern veto were widely recognized at the time throughout the South. After the North's attempt to eliminate slavery from Missouri, major Southern leaders recognized that they could not rely on the good will of their coalition partners to preserve their rights and their peculiar institution. The notion of balance in the Senate – or sectional equilibrium as contemporary Southerners called it – evolved as one of the principal means of providing the necessary institutional protection (Carpenter 1930).

As discussed in part IV, concerns about balance also underpinned the crisis of the 1850s, including many of the principal events on the road to the Civil War.

5. The New Political History: An Alternative View

Further evidence for the approach is provided by considering an alternative view of politics during the second party system, that developed by the new political historians. As noted above, these historians have irrevocably changed historiography of the antebellum years (Silbey 1985, Swierenga 1975). Their focus on local issues, particularly ethnocultural concerns, adds a new and crucial dimension to the study of this era. They have demonstrated that no crescendo of ever-rising sectional tension began with the presidential election of 1844 nor with the Wilmot Proviso of 1846 (Benson 1961, Silbey 1964). And yet, their emphasis on partisan politics to the exclusion of sectional politics masks important phenomena of the antebellum era.
New political historians provide an alternative view of the second party system based largely on party. Because most Americans cared more about local politics than national politics, new political historians argue that the traditional historians' emphasis on national politics is both misplaced and misleading. They argue that party suppressed sectional motives (Silbey 1967, 1985). Taking the two parties largely as given, new political historians argue that elections forced both parties to suppress sectional motives. In order to win national elections, parties needed votes from both sections. A purely sectional appeal in this context would therefore fail. The NPH perspective thus denies many of the basic premises on which my approach is founded.

To begin considering how the NPH partisan perspective contrasts with mine, I quote at length Joel Silbey, one of the most famous and creative new political historians. Silbey (1964) begins his classic article criticizing the "Civil War Synthesis in American Political History" by questioning the standard findings of traditional historians that sectionalism was "the dominant political influence in the antebellum era." Many NPH works argue instead that:

there is the danger in such emphasis of claiming too much, that in centering attention on the war and its causes we may ignore or play down other contemporary political influence and fail to weigh adequately the importance of nonsectional forces in antebellum politics. And, in fact, several recent studies of American political behavior have raised serious doubts about the importance of sectional differences . . . [and] have even suggested that the sectional emphasis has created a false synthesis in our study of history which increases the importance of one factor, ignores the significance of other factors, and ultimately distorts the reality of American political life between 1844 and 1861. (Silbey 1964, p. 3, emphasis added)

It is true that many traditional historians focused on national politics to the exclusion of local or partisan politics, particularly prior to the influential work by major new political historians. An exclusive focus on sectional politics during the last two decades of the antebellum era should be called a "false synthesis," to which the NPH perspective provides a much needed
counterbalance. Nonetheless, the question remains as to whether we should adopt the opposite view, namely that sectional forces were secondary.

Silbey's claims about partisan suppression of sectional motives can be tested using his claims about issues that traditional historians have long considered sectional:

In the period before the introduction of the Wilmot Proviso in 1846, national issues such as the tariff, financial policy, foreign affairs, and policy divided congressmen along political, not sectional, lines. Furthermore, in this earlier period issues which many believed to have shown a high degree of sectional content, such as the admittance of Texas and Oregon, reveal highly partisan national divisions and little sectional voting. (Silbey 1964, 5-6, emphasis added)

For example, when the House of Representatives voted on the group of issues involving expansion into Oregon and Texas, 82.3 percent of the Democrats voted in favor of expansion while 74.5 percent of the Whigs voted against such expansion. In the Senate the Whigs were 100 percent united against expansion while 78.1 percent of the Democrats support a more expansionist policy than did the Whigs. Each party contained members, of course, from both sections of the Union. (Silbey 1964, 6 note 15)

The issues of Oregon and Texas raised by Silbey provide a natural test. Consider the vote on final passage in the House to admit Texas in 1845. Looking solely from a partisan perspective, the percentages are much as Silbey reports. Of the Democrats, 98% voted to admit; of the Whigs, 72% opposed. And yet this univariate analysis is misleading. When we break the vote down by party and region, a more complex pattern emerges. Dividing the vote solely along sectional lines reveals a nearly equally striking difference in behavior. Representatives from slaveholding states

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Silbey does not report which votes on Texas and Oregon he investigates, so I look at a few of the most natural votes to study on these issues.
voted nearly unanimously (97 percent) in favor. In contrast, only 56 percent of free state representatives voted in favor. Clearly, a univariate analysis focusing on only one of these dimensions is inadequate.

Putting the data together in table 6.3 reveals a more complex pattern. The partisan difference in behavior stands out, as Silbey suggests. But so too do sectional differences. Among Northern members, only Democrats favored admission (with 64 of 67 voting in favor) while Whigs clearly opposed (48 of 49 voted against). The partisan split occurs in the North, as Silbey reports, but not in the South. Moreover, the direction of the divergence is in the direction expected: sectional interest.

Table 6.3: Proportion of Members Voting to Admit Texas
By Party and Region, 1845 (Vote on Final Passage).

<table>
<thead>
<tr>
<th>Party</th>
<th>Democrats</th>
<th>Whigs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slave States</td>
<td>1.00</td>
<td>.90</td>
</tr>
<tr>
<td></td>
<td>(55)</td>
<td>(20)</td>
</tr>
<tr>
<td>Free States</td>
<td>.96</td>
<td>.02</td>
</tr>
<tr>
<td></td>
<td>(67)</td>
<td>(49)</td>
</tr>
</tbody>
</table>

Source: Poole and Rosenthal (1990)

Investigation of other votes on Texas and Oregon yields a similar pattern. For example, table 6.4 reports the proportion of members voting for immediate annexation of Texas and Oregon in 1844, by party and region.61

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61 Analysis of the motion to divide Texas into one slave and one free state reveals similar patterns.
Table 6.4: Proportion Voting For Immediate Annexation
Of Texas and Oregon, 1844, by Party and Region.

<table>
<thead>
<tr>
<th>Party</th>
<th>Democrats</th>
<th>Whigs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slave States</td>
<td>.11</td>
<td>.90</td>
</tr>
<tr>
<td></td>
<td>(45)</td>
<td>(20)</td>
</tr>
<tr>
<td>Free States</td>
<td>.66</td>
<td>.95</td>
</tr>
<tr>
<td></td>
<td>(65)</td>
<td>(42)</td>
</tr>
</tbody>
</table>

Source: Poole and Rosenthal (1990)

Dividing the members solely by party reveals seemingly strong partisan differences, with only 43.6 percent of Democrats supporting while 93.5 percent of all Whigs support. Looking along sectional lines, however, reveals that only 35.4 percent of all Southerners supported the measure, while 77.6 percent of all free state representatives did. A majority in one section opposed a majority in the other.

A more systematic test of the relative effects of party and section uses both variables in a standard logit analysis of the vote. The results of the House vote on final passage to admit Texas are reported in table 6.5. They confirm the impressions given by the analysis in table 6.4. The dependent variable is the vote to admit (absences were discarded) and the independent variables are South and Democratic. Both coefficients are highly statistically significant. Because the coefficients are nearly of the same magnitude, party and region have nearly equal effects on the probability that members favored admission of Texas.
Table 6.5: Logit Analysis of House Vote to Admit Texas, 1845.

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Coefficient</th>
<th>Standard Error</th>
<th>t-Statistic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constant</td>
<td>-3.26</td>
<td>0.72</td>
<td>-4.53</td>
</tr>
<tr>
<td>South</td>
<td>5.46</td>
<td>1.03</td>
<td>5.29</td>
</tr>
<tr>
<td>Democrat</td>
<td>6.32</td>
<td>0.93</td>
<td>6.81</td>
</tr>
</tbody>
</table>

at convergence

| Log likelihood | -27.32 | -135.86 |

Percent correctly predicted:
- Null model: 70.9
- Logit model: 96.4

Number of observations 196

A final way of analyzing the interaction of partisan and sectional forces involves examining the vote on Texas as a function of members’ ECON and SLAVERY scores. The results are displayed in figure 6.6. Each symbol represents a member of Congress, plotted at his ECON score on the horizontal axis and his SLAVERY score on the vertical axis. As with most graphs of Poole and Rosenthal scores for the second party system, there are four groups of congressmen. The two groups on the left are Democrats; the two on the right are Whigs. Within each party, the upper group is Northern; the lower group, Southern. Those members represented with a plus sign (+) voted to admit Texas; those with a dot (•) voted against.

The figure reveals what Silbey's univariate analysis masks. Three of the four groups of congressmen voted together. Nearly all Democrats voted in favor, but so too did nearly all Southerners. Most Whigs appear to have opposed because most Whigs are northern Whigs and outnumber
southern Whigs by 2.5 to 1. The pattern revealed by this figure shows that only northern Whigs opposed admission, while all others voted in favor.

Figure 6.6: House Vote to Admit Texas, 1845, by Poole Rosenthal Scores (+ = Yes; ⬤ = No).

The analysis thus provides a more complex picture than the simple partisan perspective advanced by Silbey. It suggests that summary judgements about the dominance of partisan, in contrast to sectional, interests are unwarranted. A multivariate analysis reveals that both party and section matter, nearly equally. The votes analyzed in chapter 5 provide further support for this contention.
Implications of the evidence

New political historians provide a valuable counterbalance to a purely sectional perspective on politics during the late second party system of the 1840s. But their conclusion that partisan politics dominated instead is equally unbalanced. National political concerns were not merely campaign rhetoric ignored by voters who cared only about local concerns; decisions made by Congress often mattered deeply to many Americans. Instead, local and national concerns fit together through the system of federalism. Not only did the national, state, and local governments have their own spheres of autonomy and influence, but the party structure reflected this autonomy. National parties were loose confederations of local organizations, allowing considerable freedom within the national political organization for differences over issues across areas and regions (Potter 1976, ch **; and ***). Because Americans differed on so many local matters, there was no reason for national political organizations to force nation-wide agreement on local matters; nor could they have succeeded had they tried.

Exploring the NPH inferences highlights the differences between their approach and mine; it also reveals the flaws in their perspective. First, we cannot infer that national politics were unimportant from the observation that most people cared about local rather than national politics. As just noted, this takes federalism— and thus local political autonomy— as given. The Civil War demonstrates that federalism cannot be understood as given during this era. Because Americans highly valued local political autonomy, it had to be protected from intrusion by the national government. As the previous discussion of two antebellum sectional crises suggests, whenever national politics threatened to intrude on local political freedom— at least on the issue of slavery— nearly everyone in the nation turned their attention to national politics.

Silbey’s (1967, ch **) own work provides some evidence against the purely partisan hypothesis when he compares sectional issues in the 29th Congress (1845-47), which first raised the Wilmot Proviso, with those in the 30th Congress (1847-49), although he does not emphasize the importance of sectional concerns. Using scaling techniques, Silbey computes scores to characterize members as proslavery, moderate, and
antislavery. In the 29th Congress, nearly all Southerners were proslavery; nearly all Northern Whigs were antislavery; many Northern Democrats, however, were moderates. Silbey calculates that nearly half of all Northerners were moderates: 58 of 129 members whom he scaled, or 45.0 percent. In contrast, the 30th Congress contained very few moderates: only 19 of 115 Northerners were moderates, or just 16.5 percent. Part of the reason for this divergence is that voters in districts with moderate Democrats who opposed the Wilmot Proviso disproportionately voted for Whigs, changing the House from a Democratic majority in the 29th Congress to a Whig majority in the 30th. This shows that national politics did matter to voters and that sectional issues were potentially virulent in the North. Moreover, members in the 30th Congress failed to resolve the crisis created by the Wilmot Proviso.

Second, the NPH conclusion that parties suppressed sectional motives is as unbalanced as the purely sectional interpretation. A balanced perspective is needed that accounts for both party and section. The logic that both parties needed to secure votes in both sections makes sense, taking as given the configuration of the two parties. Taking this as given denies by assumption the possibility of a sectional party from the north gaining a majority in the nation. Another look at figure 6.6 shows the problem with the NPH analysis. Although most votes during the second party system pitted a majority of Democrats against a majority of Whigs, this was not written in granite, as the passage of the Wilmot Proviso demonstrates. The Proviso passed when a sufficient number of Northern Democrats, the upper left group of congressmen in figure 6.6., defected from their party and voted with Northern Whigs to create a sectional majority threatening the South. The NPH perspective provides no explanation for this phenomenon, seeming to deny its possibly. Nothing about the two party system itself prevented this realignment of members with parties, potentially allowing a Northern, sectional party.

Silbey's (1967) treatment of the Proviso notes that partisan perspectives were not lost on many other issues, mostly economic. And though he is at pains to demonstrate that the Wilmot Proviso was not transformative – that is, it did not transform national politics into two hostile, sectional camps – he fails to explain why Northerners steadfastly
As we shall see below, Lincoln's concern about the ability of the majority to rule fit precisely with this logic.

My approach provides an explanation for both the Wilmot Proviso and the fact that the parties could nonetheless cooperate on other issues (see Weingast 1998). The balance rule greatly discouraged antislavery measures, which arose largely in times of crisis when the limits of the previous agreement had been reached. Moreover, as the models in part B of ch. 4 demonstrate, the balance rule is what suppressed sectional forces, helping to maintain Northern Democrats within their intersectional coalition.

Combining these points, observe that the NPH perspective provides no explanation for the periodic crises that disrupted the nation, including the massive political attention they attracted across the country. My view does provide such an explanation: the national crises occurred when the previous agreements no longer held force. Further, these crises demonstrate that federalism, with strict limits on the national government, cannot be taken as given, but could easily have been adjusted by national majorities had national political institutions allowed greater responsiveness to majority rule. The behavioral methodology used by the new political historians leads them to look at the average or typical vote. Their data and evidence on these matters are quite useful; Silbey (1967) is clearly correct in stating that sectional forces did not come to dominate national politics in this era. In chapters 4 and 5, I presented evidence that congressional voting on economic issues during this period was not dominated by sectionalism. But we cannot infer, as Silbey suggests, that because the typical vote in Congress exhibits partisan forces, sectionalism was irrelevant. Only a few wrong votes could be devastating, and the South had to protect itself from these. The crises over Missouri and the Wilmot Proviso demonstrated to Southerners that party alone was insufficient.

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62 As we shall see below, Lincoln's concern about the ability of the majority to rule fit precisely with this logic.
6. Conclusions

The approach accounts for the fundamental features of the second party system in antebellum America: the centrality of economic issues; the marginality of slavery as a political issue; the seeming preference of most Americans for local politics over national issues; the hegemonic position of the Democratic party; and the states' rights constitutional jurisprudence. These were consequences of national political institutions, not simply facts about American politics during this period. The absence of sustained sectional conflict reflected the interaction of citizens' preferences and values, party platforms and behavior, and political institutions. Slavery did not survive in the antebellum American system because it was natural. Slavery survived because of hard political choices designed to protect it.

The Democrats created their hegemonic position based on a states' rights program, appealing to many Northerners, especially in the Northwest, and to most Southerners. The party's strong proslavery stands, including its credible commitment to nominating proslavery presidential candidates, gave it an electoral advantage in the South. This allowed the party to implement and maintain its program, helping to keep strong limits on the national government. Among the central effects of these limits was the preservation of rights in slaves.

The balance rule, in combination with the hegemonic position of the Democratic party, lent the appearance of a consensus protecting slavery during the second party system (Fogel 1989). The consensus did not arise because most Americans favored slavery, but because institutions were constructed to prevent antislavery interests from succeeding. The balance rule, in combination with the Democratic party, protected slavery throughout the second party system.

Nonetheless, problems emerged because the country was not static, but growing rapidly. Specifically, older agreements were incomplete or found to be unworkable given changing circumstances, periodically forcing the nation to renew the agreements. Voting during these crises shows a markedly sectional tendency, dominating decisionmaking regarding the territories and the extension of slavery. This voting pattern demonstrates the possibility of a pair of opposed, sectional coalitions, and
hence the need for institutions that discouraged their long-term formation. Further, after the resolution of both the 1820 and the 1846-50 crises, voting returned to the predominate, intersectional coalitional patterns.

The discussion of two crises over slavery, one over the admission of Missouri into the Union and the other over the territory gained in the War with Mexico, illustrates the importance of sectional balance in the Senate. Not only were Northerners willing to form a purely sectional coalition, but there were no natural bounds limiting the damage that such a coalition might do to Southern interests. As a consequence, Southerners demanded and obtained credible commitments from their coalition partners to prevent Northern attacks on their interests.

Following each of these crises, a majority in the nation was willing to renew the agreement between the sections. Nonetheless, problems emerged with the second compromise, in 1850; I turn attention to these issues in part IV.
PART IV: BREAKING THE BALANCE RULE, THE DEMISE OF THE SECOND PARTY SYSTEM, AND REPUBLICAN THREAT
Chapter 7. Political Implications of Changing Economic, Political, and Demographic Factors, 1825-1860

The years immediately following the Compromise of 1850 were ones of optimism (Holt 1978, ch,**; Potter, 1976, ch **). Yet ten years later, the country became engaged in Civil War. Part IV treats the 1850s, culminating in the Republicans rise at the end of the decade to majority status in the North. Part V (not yet written) will provide an explanation for how the country moved from the election of Lincoln to Civil War. My strategy in part IV to provide an explanation for the major changes of the 1850s takes a different tack from the standard narratives. Part III argued that the political forces of antebellum America fostered the balance rule, a set of parties competing at the national level largely on economic issues, and a national government strongly limited in scope. If this nexus of institutions and behavior was stable, then, for political behavior to change, some of the forces underlying the earlier pattern had to shift. This points to an examination of the changes that occurred over the course of the second party system that undermined its operation. Put differently, if as argued in part III the explanation for the second party system's stability required an equilibrium argument, then its demise requires a comparative statics one, that is, an argument about how equilibrium political behavior changes as the underlying forces changed.

The traditional historian, the NEH, and the NPH literatures analyze a series of critical factors relevant for these questions. Four are worth pursuing in detail: the changing opportunities for sectional expansion in the territories; the transportation revolution, immigration and relative population growth; and the changing relationship of cotton to the United States economy. Remarkably, the political effects of all these factors reinforced each other, undermining the basis for the long-term political alliances of the second party system. In particular, these factors undermined the traditional basis for the intersectional alliance of the Democratic party.
Yet these changes do not speak for themselves. They need to be understood in terms of their effects on the forces maintaining the second party system. Only in the context of a model of the previous era's stability can we hope to understand how these changes led to a sudden change in the political equilibrium after the demise of the second party system. This chapter describes these changes, and the next two derive their implications.

My discussion of the change underlying the second party system proceeds as follows. The first section describes each of these factors. The second discusses each factor's political implications. The final section discusses the larger implications of the changes in combination.

1. Continuity and Change: Economic and Demographic Factors, 1820-1860

A. The territories and sectional expansion. The foremost change between the early 19th century and the early 1850s concerned the availability of land for sectional expansion. In 1850, vast unsettled areas remained for the North, having been designated free by the Missouri Compromise. The situation differed considerably for the South. The Compromise of 1850 designated the New Mexico territory, organized from the land gained from Mexico, and the Utah territory without restrictions and thus open to slavery. At the high and rising prices of slaves, however, it was not profitable to move slaves into these territories. Without slaves and slaveholders, New Mexico and Utah would not become viable slave states or reliable Southern coalition partners.

More alarming for Southerners, the North experienced a land boom during much of the 1850s, expanding into the free territories. In contrast, the South did not expand. In a nation built on balance, this had long term cost.63

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63In a sense, the challenge of the early 1850s paralleled that of the early 1840s, when the South also had no land to move into. Two big differences appear, however. First, the Northern expansion during the earlier period was not as large, in part because the extension of the railroad had not yet occurred. Second, the country
Several sectional confrontations of the 1850s involved attempts to mitigate the asymmetry between the Northern and Southern ability to expand, so as to improve the South's position. Chapter 10 considers them in detail. For now, I observe only that the Kansas-Nebraska Act of 1854 repealed the long-standing Missouri Compromise, allowing slaveholders to compete for land previously designated as free. The act dramatically reduced the willingness of many Northerners to cooperate with their Southern coalition partners. The reason is twofold. First, the cost to the North of dividing the territories between free and slave was lower in 1820 than the cost of dividing territory previously designated as free in the early 1850s (Ransom 1989). Given the abundance of land at the time of the Missouri Compromise, there seemed little opportunity cost for the North to go along with the South. Nor did the South have a reason to seek a share of the land designated as free. Second, for many Northerners, the Missouri Compromise was not an ordinary piece of legislation, but the solution to a major conflict that could not easily be undone, particularly without compensation.

Following the Kansas-Nebraska Act, however, Southern and Northern settlers began for the first time competing for the same land, the Kansas-Nebraska territory. From the standpoint of a prospective northern settler, competition with slaveholders meant less available land, higher land prices, and lower economic opportunity. It also meant conflict over how to organize local political institutions and administration.

This contention is easily understood when interpreted in terms of the economic theory of demand. Given expectations about the availability of land early in the century, demand by slaveholders for land designated as free was virtually zero, as was demand by Northerners for land designated

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willingly resolved the problem through enthusiastic adoption of "manifest destiny," annexing Texas and then the territory from Mexico.

64 As Ransom (1989, p. 126) observes, "by 1854, the United States no longer had vast areas of unorganized land that could be divided among competing groups to maintain territorial balance".

65 There is a close relationship between the following argument and the notion in regulation of "raising rival's costs," i.e., one group's use of the political system to gain policies that favor it by increasing the costs of their rivals. [Cites **]
as slave. Hence the income effects for Northerners of prohibiting slavery in all territories would have been negligible.

Once slaveholders and Northerners were bidding for the same land, however, their calculation would have changed. Competition implied two sources of settlers bidding for land, not one. As with any increase in demand, this implied higher prices and thus made Western settlement considerably less attractive for prospective Northern settlers. Slower growth in free settlements also meant less demand for railroads and for products such as farm implements. For an increasingly integrated Northern economy, slower growth in the free territories also meant slower overall growth (see Calomiris and Schweikart 1991). Competition for the territories implied that Northerners could reap large benefits if they could lock out Southerners from bidding for the same land. This would not only have lowered the average price paid by northern settlers, but would have captured all the land for free settlers.\footnote{Of course, this analysis begs the question of why Northerners would ever pass such a measure, a puzzle that awaits ch. 10.}
Several pieces of evidence support this view about the asymmetric possibilities for expansion. First, economic historians show that there were three periods of land expansion during the antebellum period: the late
teens, the 1830s, and the 1850s (e.g., North 1961, Lee and Passell 1979). Evidence from the first two expansions has led these historians to conclude that the Northern and Southern economies were tied together economically. Figure 8.1 reveals the parallel Northern and Southern expansions in the teens and the 1830s. The figure also reveals a second and critical conclusion: No boom in Southern land paralleled the great Northern land expansion of the 1850s.

Calomiris and Schweikart (1991) provide strong evidence about the effects of competition on Northern opportunity cost in the territories. They investigate the implications of the Supreme Court's decision in *Dred Scott* (1857) for the settlers in Kansas and their economic ties to the Northern economy. Immediately before the decision, Kansas appeared headed toward becoming a free state. All the elements of extending the integrated Northern economy into this region were present: settlers, transportation, the manufacturers and suppliers (e.g., of equipment), and economic middlemen (e.g., shippers of grain). In a surprise decision, the Supreme Court announced *Dred Scott*, ruling unconstitutional Congress's legislation on the territories and thus placing the free soil future of Kansas in doubt.

Calomiris and Schweikart provide evidence on the effects of this decision through the use of capital market techniques. Economists have demonstrated that capital markets respond to events that change expectations about the future profitability of a firm or a group of firms. For example, when a surprise new regulatory regime is announced for an industry, the price of assets from that industry respond quickly, going up if the new regulatory regime is expected to help firm profitability and down if the expected new regime impact is negative (Schwert 1981).

Calomiris and Schweikart use evidence from capital markets to study the effect of the *Dred Scott* decision on various industries connected with the expansion of the Northern free economy. Their results reveal that the decision had a substantial and negative impact on the expected profits in those industries and firms with a stake in the expansion of the free Northern economy. *Dred Scott* thus harmed both components of the expanding Northern economy: free-soil settlers expecting to move into Kansas; and the firms and industries throughout the North geared toward serving them.
The negative impact of *Dred Scott* on the Northern economy provides strong evidence supporting the thesis that competition for land with the slaveholders hurt Northerners. Competition for land therefore raised the costs to many Northerners of cooperating with their Southern coalition partners.

**B. The transportation revolution.** The transportation revolution (Taylor 1951) occurred in two phases, dramatically altering trading relations between the regions. Prior to the canal age, most of the settlers in the old Northwest came from the South. To the extent that these settlers traded, they did so with the South, sending their goods southwest along the Ohio River and then down the Mississippi (Agnew 1987, Fogel 1989, North 1961). The central event of the early canal era was the completion of the Erie Canal in 1825. As Fogel (1989) emphasizes, it fostered the great Yankee migration into the Northern areas of the old Northwest and along the Great Lakes into Michigan and Wisconsin. The "canal not only brought hundreds of thousands of acres in upstate New York into the commercial orbit but also turned the counties of Ohio, Indiana, Michigan, Illinois, and Wisconsin that border on the Great Lakes into prime farming areas" (Fogel 1989, p. 304). Trade relations here typically flowed along the water to the East.

The rise of the railroads, especially in the decade of the 1850s, affected the economic opportunities of large areas, transforming previously self-sufficient farmers into participants in an international market (Bogue 1963). Access to these markets made farming profitable in large numbers of areas, and settlers moved west to take advantage of this. This growth paralleled the Europeans' increased demand for American grain, especially after Britain's repeal of the corn laws.

Finally, the transportation revolution fundamentally transformed the nature of the frontier (Nevins, 1947, vol. I, p. 47-48; and North 1961). In the early part of the century, settlers on the frontier were largely self-sufficient, largely peripheral to the market. Once the transportation revolution had begun, especially after the mid-1840s with the growing importance of railroads, most frontier communities became integrated into the Northern economy. Put another way, the frontier came to define the limits of the market. Ties with Eastern markets became one of the
important appeals to settlers who could move west, buy land, and sell the fruits of their labor in the national market. Some scholars argue that the transportation revolution increased the pace of settlement on the frontier (Nevins, 1947, vol. I, p. 48; Paxson, 1924). The importance of this factor is that it reflected a marked change in attitudes and preferences of those living on the frontier.\(^{67}\)

Canals and railroads altered the dominant trading patterns as the goods and produce flowing along an east-west axis grew at a much faster rate than those flowing along a north-south one. According to Fogel (1989, p. 304):

The new canals changed the direction of trade. By 1840 more of the West's surplus was moving eastward along the Great Lakes and the Erie Canal than was moving southward along the Ohio and Mississippi rivers. At the same time, Eastern merchants replaced those of New Orleans as the principal suppliers of the goods required by the West.

The enormous surge of railroad building in the midwest during the 1840s and 1850s completed the task of reorienting that region's commercial relations from the South to the Northeast.

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\(^{67}\)As Nevins (1947, vol. I, p. 48) suggests, “The early frontier had been jealous and suspicious of the urban East. This new frontier, though jealous too, was eager to take on the higher organization, culture, and prerogatives of the original States, and before 1860 partly did so. The infant St. Paul and Madison, Dubuque and Kansas City, Little Rock and Austin, far from feeling themselves wilderness outposts, strove for an elaborate social and economic life.”
Considerable evidence demonstrates the Northwest's changing trade patterns. Here I mentioned just one. Ransom (1967) studies the extent of the Northwest's trade reorientation toward the Northeast after 1835. As shown in figure 8.2, total exports from the Northwest increased by well over a factor of 10 from 1835 to 1857. During the same time, exports to the Northeast grew much faster, increasing more than 40 times. Most important for our purposes, east-west trade grew from less than one-

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68Considerably more evidence could be cited. For example, the amount of Northwest grain exported to Europe increased dramatically from 1850 to 1860 (Taylor, 1967, table 11, appendix A; see also North, 1961, table F-XI, appendix II).

69Billington's (1967, pp. 347-48, 401-02, and 614) data reveal the same pattern. In 1860, exports of corn and wheat from the Northwest to the Northeast outweighed that between Northwest and the South by over a factor of ten. See also North's (1961, p. 215) discussion of the Mississippi River Valley.
quarter of the Northwest's trade to three-quarters: the Northeast received 23 percent of the Northwest's exports in 1835, 50 percent in 1849, and 75 percent in 1857.

C. Immigration and relative population growth. Immigration resulted in several critical changes in the nation and its politics. As revealed in table 8.1, immigration became important in the early 1830s and took off after the mid-1840s. Nearly all the immigrants moved to the cities of the North, resulting in marked economic, social, and political transformations (Holt 1978, Fogel 1989, 1991, Formisano ** [**other cites?]). The huge influx of immigrants created a vast pool of low-cost labor (Passell and Schmundt 1971 and Wright 1978). Although the aggregate growth of immigration is easy to comprehend, its subtle implications for politics are not.

The relative rates of population growth between the North and South differed considerably, largely as the result of immigration into the North. Fogel (1989, p. 319) reports that it "was the huge influx of foreigners into the North after 1820, rather than the Northern rate of natural increase, that gave the North its increasing predominance in the struggle for power." Although population size in the two regions was similar in 1790 — each had just under two million — population growth in the North out-paced that of the South.
By 1860, 20 million people lived in the North; only 11 million lived in the South, 4 million of whom were slaves (Ransom 1989, p. 60).

D. The cotton economy and the nation. Early in the nineteenth century, European demand for American crops, primarily cotton but also tobacco, rice, and a few other crops, helped fuel economic growth of the United States. The Northeast's provision of services for the Southern economy illustrates this point, as does the clear dependence of the Northwest's early growth on Southern expansion. By the mid-1850s, the Northern economy had become diversified. Manufacturing had become increasingly significant, as had the fast-growing export crops raised in the Northwest, primarily grains.

The growing economic diversity considerably diminished the dependence of the Northern economy on the South. Figure 8.1 provides indirect evidence of this. As economic historians argue, economic ties between the sections implied that the sections experienced land booms.

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70See North (1961). Lindstrom (197*) among others questions North's assertion that international demand for cotton was the primary source of growth, though not whether this demand was a source of economic growth for the United States.
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As Nichols (1963, p. 90) suggests: "The Democratic Party under traditional Southern management could not respond, since the South did not want settlement extended west of the [region] in which the balance between slave and free states could be exacted. . . Without ecological facilities to further parallel western institutional projection, the cherished equal partnership of the two great societies was in difficulties."

together before 1850. After 1850, the lower ties allowed the North to expand without Southern expansion.

Despite the South's inability to expand during the 1850s, the cotton economy boomed, and with it, the market for slaves. Economic historians have demonstrated that, on the eve of the Civil War, the value of slaves were never higher (Fogel and Engerman 1974, Fogel 1989, Ransom 1989). Profits from slaveholding were never higher than in the last years of the 1850s, and the economic future of the southern slave economy looked bright (Fogel and Engerman 1974).

2. The Political implications of each factor

In combination the four factors had two reinforcing political effects. They raised the costs to northern and southern Democrats of maintaining their coalition while lowering the costs of a purely Northern one emphasizing sectional interests.

First, forcing Northerners to share land previously designated as free placed a wedge between northern and southern Democrats. By the 1850s, the costs to Northerners of maintaining balanced sectional growth clearly rose. As a direct consequence, the value to excluding Southerners from their territory – and thus a policy of "free soil" – also rose.

In combination with the disinclination of Northerners to support expansion into the Caribbean (May 1973), the differential availability of land for sectional expansion placed great strains on the Democratic coalition. Demand for fast-paced expansion led many Northern Democrats to advocate policies promoting this expansion, notably, homestead legislation and the building of a railroad to the Pacific coast. Because Southerners could not participate in a parallel expansion, the...

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71 As Nichols (1963, p. 90) suggests: "The Democratic Party under traditional Southern management could not respond, since the South did not want settlement extended west of the [region] in which the balance between slave and free states could be exacted. . . Without ecological facilities to further parallel western institutional projection, the cherished equal partnership of the two great societies was in difficulties."
northern expansion had ominous political implications. Expanding free territories implied more free states without corresponding slave states to maintain sectional balance. Politically, this disparity implied that Southerners were no longer willing to supported policies promoting land expansion as they had during the second party system. Throughout much of the 1850s, southern Democrats blocked types of legislation they had supported in the previous two decades. This change in behavior lowered the value of the Democratic coalition to northern Democrats.

Second, the transportation revolution not only underpinned waves of western migration, it established trading patterns that increased the harmony between Northwest and Northeast. As their trade grew, both sections would have been willing to pay a higher price to maintain it. The Erie Canal opened up a significant area to economic production and fostered significant migration. So too did the railroads in the 1840s and especially the 1850s. By the latter part of the 1850s, most of the Northwest participated in an economy dominated by east-west trade. With an increasingly integrated economy, factors affecting the fortunes of one sector had spill-over effects into the other\textsuperscript{72}. Economic integration increased the value of a purely northern coalition to control national policy to their advantage.

Third, immigration to the cities of the Northeast lowered the costs of the commercial interests in the Northeast (and the members of the old Whig party) of changing their policy positions on free land. Passell and Schmundt (1971) argue that:

\textit{[A]s immigrants increasingly took the places of native-born workers during the 1840s and 1850s, a community of economic interest began to emerge between Northeast and Northwest, and the logic of a political coalition which would put this program into effect became more and more attractive. The 1860 platform of the Republican party and its slogans ("Vote yourself a farm," "Vote yourself a tariff") seem a perfect embodiment of the idea. (Quoted in Wright 1978, p. 137)}

\textsuperscript{72}Again, Calomiris and Schweikart (1991) provide some of the best evidence of these spill-overs.
The vast pool of immigrant labor diminished the effect of cheap land policy on Eastern wage rates and hence lowered the costs to eastern capitalists of supporting land expansion.

Immigration had a second and potentially explosive effect on local and national politics. The growth of the cheap labor pool resulted in a striking downward trend in the wages and employment of native workers, in part inducing this group's "triple crisis" during the mid-1850s (Fogel 1989). The immediate political effect of immigration was to dislodge native workers from the Democratic party. Not only did these natives increasingly see that party as a haven for immigrants, but, in the context of arguments about the rise of "slave power," the traditional Democratic policy of cooperating with Southern interests was increasingly seen by many native Northern laborers as giving away "our land" to slavery. Natives workers first bolted the two parties, and many found the anti-immigrant Know-Nothing party attractive. By the end of the decade, the Republicans were able to attract a large proportion of natives through their ideological link of free labor and free soil (Fogel 1989, Foner 1970, Gienapp 1987, Goldstein 1994, Holt 1978, Silbey 1985).

The immediate political effect of population growth was obvious to all and potentially terrifying to many in the South. The much faster growing Northern electorate resulted in an increasing disparity in the size of the Northern and Southern delegations in the House of Representatives and the number of votes in the electoral college. Table 4.1 presents the evidence on the eroding position of the South in the House. In 1800, slave state representatives made up 46 percent of the House. During the early second party system (1830), the Southern share had fallen to 41 percent. After the 1860 census, had the war not come, the South would have held just 35 percent of the House, barely over one-third. As John C. Calhoun

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73 The politics of these changes are central events in the demise of the second party system, the rise of the Know-Nothing party, and eventual success of the Republican party. A closer examination of these critical issues takes place in Ch ***. For now, we merely note the direct and immediate political effect of immigration for natives.

74 More on this important effect of immigration in ch. **.

75 If, following Aldrich (1995, p. 129), we look instead at the core slaveholding states (for example, the eleven slave states that seceded in 1861), the picture looks even bleaker. The proportion of these states' electoral votes declined from 32% in
recognized in 1850, sectional equilibrium, if not quite a phenomenon of the past, was increasingly costly for Northerners to maintain.

As Fogel (1989, p. 319) stresses, sufficient population growth represented a fundamental necessary condition for the rise of a purely regional party in the North. Unless there were a sufficiently large number of northern voters, a purely Northern party could not have elected a majority of Congress nor captured the presidency. Until this condition was satisfied, northern politicians would rationally have eschewed policies that would alienate their southern coalition partners. In the absence of an opportunity to become the majority party, advocating these policies would have destroyed northern politicians' chances of success and their (albeit small) existing influence.

Fourth, the changing relationship of the northern and southern economies had important political implications. Early in the century, the high dependence implied that, no matter how Northerners felt about slavery, their clear economic interdependence with the South placed a high price to any action harming the Southern economy. Interdependence raised hurdles to any action against the South.

The growing diversity of the Northern economy reduced the dependence of the North on the South, lowering the price to be paid by the North for policies harming the South. True, certain sectors might be greatly harmed (e.g., textile manufacturers in the Northeast; see O'Connor's 1968 study of these "cotton whigs"). But as the welfare of fewer and fewer Northerners hinged on the success of the Southern economy, the costs to most Northerners from policies harming the South decreased significantly.

Finally, the evolving economy changed the nature of the economic issues at stake during the second party system (Holt 1978, 2001). Many of the issues previously divided northern Democrats from northern Whigs evolved or disappeared altogether. Consider the four main economic issues dividing the parties during the second party system.

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1828 to 29% in 1860.

This point reflects recent learning of the political implications of small trading states (Katzenstein 1985 and Rogowski 1988).
(1) Land policy. I have already discussed how immigration removed the major barrier that prevented eastern Whigs from supporting cheap land policy desired by Westerners.

(2) Banking. A range of state laws made national policies far less important to Whig interests. Throughout most of the Old Northwest, for example, free banking laws neutralized this issue (e.g., in 1851 and 1852 in Ohio, Indiana, Illinois, and Wisconsin).

(3) Internal improvements. Several considerations changed the politics of internal improvements. In the wake of the debt crises of the late 1830s and early 40s, many states adopted new charters that severely limited their ability to incur debt and thus to finance internal improvements (Wallis 2000). Partisan differences over this issue therefore became irrelevant. At the same time, far more private capital also became available to finance these projects, lowering the rational for public participation. During the 1850s, outstanding private foreign debt (most of which financed internal improvements) nearly doubled, from just under $200 million in 1849 to $383 million in 1857 (North 1961, **). According to Holt (1978, 110), "The new availability of private capital helped undermine the entire rationale of the Whig economic program which had been based on the dearth of private capital and the consequent necessity of the governmental promotion to achieve economic growth." And finally, in many states, the issue no longer divided the parties, as both sought to promote internal improvements. Transportation links within the northern economy had become sufficiently important that both Democrats and the Whigs favored financing of railroads so that geographic conflict about where to locate these improvements often replaced party conflict (Holt 1978, 112).

(4) The tariff. Pressure for higher rates had long been correlated with the business cycle and other factors affecting business conditions (cites). The boom of the 1850s implied a weaker political demand for higher rates.

In sum, economic changes between 1828 and the early 1850s reduced or removed the once deep economic policy differences separating the parties in the North. This conclusion held for each of the major economic issues of the second party system: banking, internal improvements, the pricing of western land, and tariff rates. These changes reduced the stakes of political competition between the parties, weakening the ties of large
numbers of Northern voters to their parties (Holt 1978, ch 5). That, in turn, raised the likelihood that voters would switch partisan allegiances. Ominously, issues such as internal improvements also became invested with significantly more sectional implications than before, in part because the asymmetric expansion implied they aided Northerners far more than Southerners.

3. Combined implications of the changing factors

The five changing factors combined to alter the patterns of political exchange among the three regions, undermining the long-term coalition between the Northwest and the South while making one between the Northwest and the Northeast more likely. First, in the face of unequal opportunities for expansion, Southern Democrats were no longer willing to support the cheap land policies sought by their Northern partners. This lowered the advantages of the Democratic coalition to their Northern coalition partners.

Second, in the face of inevitable expansion by the North, Southerners increased their demands for institutional protection. But the Democrats' solution – repealing the Missouri Compromise to open previously designated free lands to slavery – increased the direct costs to Northern Democrats of the party's strategy of balanced growth. The increased costs of cooperating with the South combined with southern vetoes of national policies promoting northern expansion to make many Northerners view the South role as illegitimately frustrating the national majority ( cites to examples). Many Northern Democrats became increasingly reluctant to support policies favoring Southern expansion that would parallel their own.  

Third, the economic changes, especially growing economic ties between the Northwest and Northeast, increased the harmony of the interests between the Northwest and the Northeast. The traditional issues

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77 As discussed in ch. 10, the repeal of the Missouri Compromise by the Kansas-Nebraska Act unleashed a terrible backlash against Democrats in the North.
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separating Northern Whigs from Northern Democrats – land policy, internal improvements, banking, and tariffs – became less meaningful, again lowering the costs of compromise. The cheap labor pool provided by immigrants removed the primary reason for the Northeast's opposition to land policy. By the 1850s, many Democrats sought internal improvements as aggressively as had the former whigs.

This context helps explain the electoral appeal of two central aspects of the ideological transformation underlying the Republican party's rise to success, as emphasized by Foner (1970), Gienapp (1987), and Fogel (1989). The Democrats' inability to pass favorable land policies raised the value of a new coalition that could pursue "free soil," a policy that explicitly prohibited the South from sharing in territorial expansion. Similarly, the South's perceived behavior – combined with the willingness of many Northern Democratic leaders to go along – seemed to provide evidence that for a second ideological factor, the "slave power" conspiracy. This idea held that Southerners controlled national policy for their own advantages rather than the nation's. Regardless of the truth of this notion, by the mid-1850s, its striking appeal was inflamed by the combined reluctance of Southern Democrats to support policies sought by their traditional coalition partners and the Democratic party's aggressive pursuit of slavery's access to free territories.

4. Conclusions

The changing factors discussed in this chapter undermined the principal exchange supporting the second party system, an exchange in which Northern Democrats suppressed their feelings about slavery in order to cooperate with Southerners on a variety of economic issues. The South obtained cooperation in the extension of slavery, a credible commitment by the national government to maintain rights in slaves, and desirable economic policies. Northern Democrats obtained a variety of desirable policies from the national government, including a states' rights philosophy, low tariffs, cheap land policy, and the absence of national controls over banking.
By the mid-1850s, the principal exchange of the Democratic party had become harder to maintain. The asymmetric possibilities for expansion lowered the South's willingness to cooperate on economic dimensions, while the costs to Northerners of cooperating on the extension of slavery greatly increased. At the same time, the costs of cooperation between the previously divided partisan opponents in the North fell as the old economic issues came to have less meaning.

Moreover, as I argued above, a purely sectional party of the North was not possible until two conditions were satisfied. First, the North had to become sufficiently large relative to the South (Fogel 1989), and second, the Southern veto in the Senate had to be broken. By the early to mid-1850s, both necessary conditions were satisfied.

Nonetheless, the changing basis for national coalitions among the electorate does not speak for itself. Most Americans were only dimly aware of the implications of these changes in the early 1850s. Moreover, some of the implications became only apparent after the Democrats pursued actions they thought would satisfy their old coalition but which failed, notably the Kansas-Nebraska Act. As I argue in ch. 10, it is far easier for us to see the implications of this act after the fact, and with 125 years worth of historical research, than it was for Democratic leaders before the fact.

Thus, the implications of the changing factors for long term national coalitions and for national policy cannot be understood directly. Instead, they must be understood in the context of how the factors affected politics and choice within national political institutions. In addition, the path dependent nature of history (North 1990) must also be taken into account, as the above claim about the Kansas-Nebraska Act suggests.

Finally, it should be apparent that an important aspect of the wedge between northern and southern Democrats arose because of the party's strategy for maintaining balanced growth. Had the South had equal access to abundant land fruitful for slavery, the costs of maintaining the national Democratic coalition would have been far lower (Nichols 1963). The Kansas-Nebraska Act would not have forced Northerners to "give up our land" for slavery. Southerners, in turn, would not have attempted to block policies desired by their Northern coalition partners to promote Northern
expansions. Thus, central elements underpinning the attraction of free soil and the slave power conspiracy would have been missing.

In this sense, the changing nature of southern search for continued balance growth becomes a primary cause of the breakup of the Democratic party. Of the factors undermining the Democratic coalition, only immigration would remain as raising the costs of the coalition had the South had attractive routes toward expansion in the 1850s. Even without more land available for Southern expansion, there was nothing inevitable about the Democrats' choices and hence about their losses of support. Under different conditions, the Democrats might not have pursued the Kansas-Nebraska Act, thus eliminating a major wedge that came between their Northern and Southern factions.
Chapter 8: Rationality of Fear: A Southern Perspective on the Republican Ascendancy

This chapter develops a model of the consequences of a purely Northern majority coalition controlling the national government in the absence of sectional balance in the Senate. The model suggests what Southerners had to fear throughout the decade of the 1850s and in 1860.

This approach differs from the more traditional methods of historians which rely on contemporary accounts (e.g., public statements of party leaders, diaries, newspapers). The approach taken here relies on an explicit model of political behavior given the preferences, incentives, and constraints of political actors. The model affords clear predictions about the behavior of the Republican party had it come to power and had the nation not broken apart via secession. These counterfactual predictions differ from those gleaned by from assessments of the statements of its leaders during the late 1850s and throughout the election campaign of 1860. It is not that the latter are irrelevant, it is that they must be viewed as campaign promises, and as such, they were not a binding commitment to future action.

In treating 1860 before the 1850s, I do not intend to suggest that contemporaries knew what coming. Not only is this clearly false, but the discussion in Part IV emphasizes that few Americans at the time had a good grasp of what they were going through. My purpose is instead to create an understanding of what could have happened to slavery within the national system under a Republican majority.

What follows is one among many scenarios. Because it is the scenario one with the largest risk to Southerners, it is therefore of special interest. The reason concerns what de Figueiredo and I call the rationality of fear (de Figueiredo and Weingast 1997). This approach has several implications for southern behavior throughout the antebellum era. First, it suggests that a group of citizens is willing to concerned extra-constitutional action when they face large enough risks to their wealth and sources of livelihood. Second, consider the stakes – what these citizens
The points made here draw on the general aspects of any Northern party, not the specifics of the Republican as it came to be constituted at the end of the 1850s. The discussion thus ignores the specific means of the demise of the second party system, the Democrats loss of marginal support in the North, the struggle with nativism, and hence the specific means by which the Republican party triumphed. Lying in the future, these could not have conditioned expectations in 1850 about the lack of balance.

The model that follows makes explicit a method for suggesting how contemporaries would have understood the policy implications of northern control of the national government. Without understanding such expectations, we can understand neither the motivations for the actors at the time, nor what they were trying to avoid.\footnote{The points made here draw on the general aspects of any Northern party, not the specifics of the Republican as it came to be constituted at the end of the 1850s. The discussion thus ignores the specific means of the demise of the second party system, the Democrats loss of marginal support in the North, the struggle with nativism, and hence the specific means by which the Republican party triumphed. Lying in the future, these could not have conditioned expectations in 1850 about the lack of balance.}

The main implication is that, even if the Republican threat to the slave economy was not very likely, the stakes were so large that Southerners would have been rationally paranoid; that is, willing to take actions to defend themselves even though the risks were relatively low.

The model shows the political implications of the Republicans free soil platform. Historians have emphasized the implications, and these are manifold and important. Free soil mean many things to Northerners as Foner (1970) suggests. To some Northerners, it was the first step toward a larger goal of abolition. To many workers, it became a symbol of free labor. To many westerners, it meant keep southerners from bidding for free land.

Though less studied, free soil also had ominous implications for Southerners. Most immediately, it meant the end to any hope of restoring sectional balance. Northerners would be free to expand into new territories, creating many new states. Southerners, hemmed in, would have to lose if the wrong policies are pursued. For any given size stakes, there exists a “trigger probability” such that, when the likelihood of the risk exceeds this probability, it triggers the group to take defensive reaction. Third, the model shows that, the larger the stakes, the lower the critical probability triggering defensive action. Fourth, when the stakes are very large – such as affecting the entire economic organization of a region – the critical probability triggering action can be very low, much closer to 0 than to 1.
become a smaller and smaller portion of the nation, making it less and less likely that their interests would be taken into account by national officials.

Moreover, because many Northerners sought free soil as a first step toward more stringent policies, Southerners could not be sure whether Northerners would retain free soil or pursue stronger policies instead.

In the absence of sectional balance, the model predicts that the Republicans’ platform of free soil was not an equilibrium in the following sense. Once implemented, the Republicans majority would have been better off making further and more stringent policies toward slavery.

This chapter proceeds as follows. Section 1 characterizes the Republican threat to the South. Section 2 discusses southern secession as a possible constraint on Republican policy choice. My conclusions follow.

1. Characterizing the Republican Threat

The breaking of the balance rule with the admission of California implied that potential policy choices of the national government transformed national politics from that modeled in figure 4.2 to that modeled in figure 4.1 (the latter is reproduced in figure 9.1). The analysis yields several implications of a purely northern majority controlling the national government. First, it implies that antislavery policies are politically feasible and hence, under the right circumstances, could be pursued by the national government. Second, as long as the Democratic party remained a central political player, if not hegemonic, it provided Southerners with a veto over national policy. Third, a major change along the economic dimension alone was not feasible. In order to gain power, Old Whigs and new Republicans would have to advocate policy change on both dimensions.

This program is exactly what the Republican party pursued. Through their economic program, adapting many old Whig policies to the new political circumstances of the late 1850s, the Republicans sought to change economic policies from that pursued by the Democrats over the previous three decades. Through their free soil program, the Republicans sought to
change policy on the slavery dimension. Figure 9.1 represents the Republican party platform in 1860 as the point R.

The Republicans' success in the election of 1860 left Southerners without their veto in the Senate and with a considerably diminished role in the northern-dominated government. The Republicans' commitment to free soil implied a party not only hostile to slavery, but one unwilling to maintain the traditional means of providing a credible commitment to slavery by the national government.

The model yields a further implication about the rise of the Republicans. Suppose they had succeeded in implementing their platform of 1860. What might have happened next? Republicans in 1860 emphasized that they would not go beyond these limits, and historians have largely taken these campaign promises at face value. The model suggests that nothing about the new status quo would have limited further changes. Figure 9.3 represents the winset of the new status quo, assuming the Republicans had implemented their platform of 1860. As can be seen, this policy is not stable. Moreover, Northerners had considerable interest in moving further along the antislavery dimension, say to a policy of R'. Nothing inherent about the Republicans' platform would have limited further changes on slavery.

Indeed, the politics of the new status quo, Q, almost compels changes on slavery. The figure shows that the new Republican coalition could not make changes on the economic dimension alone without hurting members of its party. By moving policy on both dimensions simultaneously – to R’ – they could make all Republicans better off.

The figure also shows that the Republicans’ success in implementing their free soil platform would have changed the value of the Democratic party to the South. The figure shows that, even had the Democratic party returned to political power, it could not have reversed the Republicans' policies. Its need to command a majority in the nation (and hence to obtain votes in the North and the South) implied that the best it could offer the

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79 Of course, these two dimensions were combined in interesting ways via the connection between free soil and free labor (see, e.g., Foner 1970).
Barry R. Weingast

South was a lateral move along the economic dimension (shown as a change in policy from R to D in the figure).

The model shows why the Republicans were such a threat to the South and slavery. Republicans had no electoral incentive to protect Southern interests. Indeed, their incentives pushed them in exactly the opposite direction, to pursue anti-Southern policies in order to benefit their Northern constituents. Without a mechanism, such as the balance rule, to protect their interests, Southerners had much to fear from the rise of the Republican party.

Seen from this perspective, the policy of containment inherent in free soil cannot be considered innocuous to the South, divorced from rights in slaves in existing states. The nature of the territories serving as future states implied they were the future of balance and hence intimately related to future of slavery where it did exist.

Not all historians agree with this interpretation. To quote David Donald (1961, p. 214):

> It is plausible to stress slavery as the cause of the Civil War, but . . . no responsible political body in the North in 1860 proposed to do anything at all about slavery where it actually existed and no numerous group of southerners thought their peculiar institution could be extended into the free states.

My approach yields two implications about this view, one substantive and one methodological. The substantive implication is that Donald’s view ignores the problems raised above about the long-term security about rights in slaves. Without an explicit credible commitment to slavery, campaign promises in 1860 were not believable – not then, and not now. Perhaps the Republicans would prove to have no further designs on slavery than the policies advocated in 1860. But should they change their minds, the South had no means to protect itself. Moreover, as we have shown, the Republicans’ electoral incentives pushed them in the opposite direction.

The methodological point is that Donald’s view depends critically on counterfactual analysis, though one not developed explicitly. The counterfactual hypothesis is that, because "no responsible political body
in the North in 1860 **proposed** to do anything at all about slavery where it actually existed," that slavery was therefore safe within the nation (emphasis added). My analysis suggests that the Republicans articulation of limited action against slavery must be seen as campaign rhetoric. Campaign promises are at best a guide to future action. Though breaking them may be costly, political leaders regularly do so. Franklin Roosevelt promised to balance the budget (as did Ronald Reagan), and President George H.W. Bush promised never to raise taxes ("read my lips"). My point is that this rhetoric may reflect Republicans best intentions in 1860, but because they were not binding, had those intentions changed, so too could have Republican action.

It may be that "Honest" Abe would have never gone back on his word. But the Republican party was hardly committed in 1860 to Lincoln as its leader. And if Republican voters drifted toward more radical politics, Lincoln's holding to clearly articulated limits would have become a liability. It may also be that Lincoln, as one of the great political leaders the era, could have steered his party through these difficult shoals. But that hypothesis also relies on speculative counterfactual analysis for which we have precious little basis for strong belief. It may well have been possible; but so was the opposite hypothesis. And here again, we come back to the issue emphasized in this book, the lack of a credible commitment to rights in slaves becomes the critical difference for the South.

These conclusions are reinforced by the Republicans emphasis that slavery was a moral evil and that they would not compromise on this matter. As Seward argued in his 1850 speech, there was a higher law than the Constitution. Moreover, as Foner (1970, 311) quotes Lincoln in 1859,

"Never forget that we have before us this whole matter of the right or wrong of slavery in this Union, though the immediate question is as to its spreading out into new Territories and States" ... Lincoln... thus made explicit that there was more to the contest over the extension of slave than whether the institution should spread to the West. As Don E. Fehrenbacher puts it, the territorial question was the "skirmish line of a more extensive struggle."
Further, the "fact that so many abolitionists, not to mention radical Republicans, supported the Republican party, is an indication that anti-slavery formed no small part of the Republican ideology." Foner (1970, p. 304). None of this could have given Southerners much confidence that Republicans would hold firm at a policy of containment.

In parallel with the conclusions of this chapter’s models, Foner's conclusions support this interpretation:

it would have been suicidal for the Republicans to have put their emphasis on economic policies, particularly . . . neo-Whiggism. . . If one thing is evident after analyzing the various elements which made up the party, it is that anti-slavery was one of the few policies which united all Republican factions. For political reasons, if for no other, the Republicans were virtually obliged to make anti-slavery the main focus of their political appeal. (1970, 304)

Although the Republicans’ stance had substantial electoral appeal in the North, it was hardly designed to reassure the South that Republicans would continue, as had their political predecessors, to compromise their values to uphold rights in slaves.\(^{80}\)

2. Countervailing Incentives: Republican Response to the Threat of Secession

An important qualification exists to the above predictions, namely concerning the threat of secession. Assuming that Republicans valued the larger nation and would not be happy to see the South secede, Southerners held a threat that could have mitigated Republican reaction.

\(^{80}\)Still, as Fogel emphasizes, we should not take Lincoln's election in 1860 as inevitable. Lincoln's electoral margin was sufficiently slim that a small number of votes in the right states could have swung the election. Fogel suggests that had immigration not fallen off in the 2nd half of the 1850s or had economic conditions been somewhat poorer, Lincoln may not have been elected.
Thus, suppose that if the Republicans implemented a national policy on slavery above a certain level, as indicated by the dashed lines on figure 9.6. Then this behavior would have constrained Republican action. Although the Republicans would have preferred to move policy above the dashed line, they might decide instead to move policy only to RR rather than to move policy above the line.

There are several problems with this prediction, however. First, this requires Republicans to understand clearly the beliefs and likely reactions of Southerners with respect to secession. The fact that many Republicans believed that the initial southern secession after Lincoln’s election to be hot air (“gasconade”) suggest that this assumption is false: Republicans did not understand this.

Second, the fact that southern secession began in reaction to the election of free soil Republicans suggested that this policy alone, in combination with the risk of further policy choices on slavery, were sufficient to cause secession.\footnote{This discussion ignores the complications of the secession crisis, notably the very different behavior in the upper and lower South (see Crofts 1989 and Potter, 1942, ch **).}

In sum, secessionism placed a theoretical limit on the behavior of the Republicans as national leaders. In practice, this mechanism was confused by the uncertainty over southern beliefs and behavior with respect to secession.

3. Conclusions

The model reveals the Republicans’ incentives to alter policy were they to gain control the national government. The results suggest that Southerners rationally feared Republican control. Most historians have focused on the implications of free soil for Northerners. Southerners had a very different perspective. Free soil implied no possible restoration of sectional balance, hence no credible protection for the slave economy from intrusions by the national government. It also implied the free growth of the North,
implying new states and diminishing southern influence in the national government.

The model is not intended as a prediction of actual Republican behavior. It is meant instead to model the threat imposed by the Republicans for the South.

The rationality of fear model shows that, even if this scenario was not very likely, the fact that the stakes were so large implied that Southerners would rationally act on these fears even if the probabilities were low.
Chapter 9. Southern Rationality and the Demise of Sectional Equilibrium in the Compromise of 1850

Sectional balance in the Senate ended with the admission of California as a free state in the Compromise of 1850. Because sectional balance and the Southern veto plays a central role in the above theory, the perspective must provide an explanation of why Southerners went along with the Compromise. This chapter provides my answer. In brief, the argument is that the Compromise of 1850 appeared ex ante to be a reasonable bet for Southerners given the alternatives and their expectations at the time.

The Compromise of 1850 should be understood in part as extending a credible promise by the Democratic Party to attempt to restore balance in the Senate, first by organizing two territories without restriction on slavery, and then by pledging that when one of these territories applied for statehood as a slave state the party would support it. Further, I show below that this commitment would have been fulfilled had the Democrats retained their status as the majority party in the nation. The Democrats acted on their promise in two critical ways, first, with the Kansas-Nebraska Act of 1854, and, second, by attempting to admit Kansas as the 16th slave state in 1858. These attempts failed to achieve the Democrats' goal, largely because the passage of the Kansas-Nebraska Act lost the Democrats their majority status in the nation, at least in the House. This act led not only to a surprisingly large decline in the Democrats' Northern support, but, ultimately, to the rise of a party explicitly hostile to slavery. As demonstrated in the next chapter, the 1858 attempt to admit Kansas as the 16th slave state failed in the House because of the large decline in Northern Democratic support. I show that, had the Democrats retained their average strength in the House of Representatives, this act would have easily passed.

In short, the Democrats' promise to restore sectional equilibrium remained unfulfilled, not because Democratic leaders went back on their
word, but because after 1854 there were never again enough northern Democrats in the House to make good on the promise.

The tragedy of the 1850s for the Democrats is this. The Compromise of 1850 created an imperative that, in the changed circumstances of the 1850s, led to political disaster. The attempt to restore sectional balance, one of the central pillars of their success in the previous two decades, produced both the most disruptive political events of the 1850s, but also cost them their majority status in the nation.

These events force us to ask two questions. First, why did Southerners place themselves at risk by accepting the Compromise of 1850 in the first place? Second, why did Democratic leaders pursue strategies that lost them their majority status in the nation, pushing the nation further toward civil war?

This chapter focuses on the two central elements of my argument about the rationality of the South's acceptance of the Compromise of 1850: first, the reasonableness of their expectations that the Democrats could make good on the promise made in the Compromise; and, second, the reasons for pursuing the Kansas-Nebraska Act, the principal step in undoing the Democrats' ability to make good on the promise. This chapter develops the argument while the next provides some evidence supporting it.

The argument proceeds in three parts. Section 1 analyzes expectations of the various legislators, attempting to show that, on the basis of what was known and expected at the time, Southern acceptance of the promise in the Compromise of 1850 was reasonable. Section 2 discusses the undoing of the Democratic majority via the Kansas-Nebraska Act. Section 3 provides a model of the Democratic leaders' decision to pursue the Kansas-Nebraska Act.

1. Expectations and the Democrats' Promise

The explanation of the Democrats' failure to honor the promise made in the Compromise rests on the theory developed above along with two
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The first principle concerns distinguishing the ex ante perspective from the ex post, that is, of attempting to remove hindsight from the analysis of the choices by various decisionmakers. Although this principle is widely shared, in practice it remains difficult to follow, especially in the context of such an obvious and massive failure as the Civil War. This principle requires that the analysis attempt to reconstruct the beliefs and expectations of the principal actors prior to the principal events.

The second principle concerns how parties aggregate information. Public policy results from the interaction of voting decisions by the electorate and policy choices by political officials. In the partisan era, party leaders concerned themselves with the electoral effects of their decisions. Information about preferences of the electorate are of two kinds. The first is information available to decisionmakers ex ante, that is, information known in advance of events. One method for party leaders to obtain this type of information is by aggregating the dispersed information that their members obtain throughout the country. Most members of Congress, for example, have a better understanding than national party leaders about how voters in their district will react to various policies. They are connected to local party organizations; they know the principal beliefs of local elites and opinion leaders; and they have a sense of their constituency. Congressional party leaders can learn about the likely aggregate, national electoral effects of their decisions in part by collecting and weighing the judgements of their members about potential policies or actions. This process was hardly a sure-fire method for predicting consequences. Nonetheless, under the circumstances of the era, it provided some of the best information that could be obtained, and on average provided considerable insight into electorate effects.

The second type of information about electoral preferences is ex post, that is, information learned only after particular events. From the standpoint of scholarly analysis, elections provide some of the best

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83 [Potter quote here].
information about how voters evaluated their political circumstances at the
time. For major policy decisions – for example, Missouri Compromise, the
Mexican War, the Compromise of 1850, or the Kansas-Nebraska Act –
electoral reactions provide us with useful information about the
electorate's aggregate judgement. Of course, information revealed after the
fact could not have been known to decisionmakers before the fact.

These two principles combine to provide a means for distinguishing
the expectations of decisionmakers from the actual consequences of their
decisions. Because elected officials typically pursue actions they expect
will help themselves and their party, comparing their actions with the
actual electoral consequences yields one of the few ways of assessing the
divergence between \textit{ex ante} expectations with \textit{ex post} consequences.\textsuperscript{84}

This insight helps explain puzzling decisions by political officials,
especially during transition periods. Transition periods are those where we
know, after the fact, that critical aspects of the environment were
changing; often these changes – or their implications – remain
unrecognized or only dimly perceived by contemporaries.

During transition periods, decisionmakers typically have an imperfect
understanding of the changes taking place; for example, do these change
represent a short-run deviation or a permanent change? With the aid of
hindsight, aspects of these changes are often clearer to modern scholars
than to decisionmakers in the midst of them. Indeed, it is often the
unanticipated consequences of decisions that inform later analysts how the
situation had changed. Many political decisions look puzzling precisely
because the permanence and implications of trends are far clearer to us
than they were to decisionmakers at the time. Analyzing periods of
transition therefore requires an attempt to reconstruct what decisionmakers
understood at the time of their choices.

\textsuperscript{84}This is not to suggest that the more standard historians approach for gauging
expectations is inappropriate or misleading. Rather it suggests additional avenues for
assessing these.
The Compromise of 1850

As emphasized in chapter 7, important political, economic, and ethnocultural changes occurred between 1825 and the early 1850s, straining the coalitions underlying the major parties. As the upper Northwest became increasingly economically tied with the Northeast via canals and railroads, its political interests were increasingly in harmony with those of the Northeast. The growing perception of a scarcity of Western land increased the opportunity cost to the Northwest from remaining in a coalition with the South. The geographical, economic, and especially political limits on Southern expansion changed the willingness of Southern Democrats to cooperate with their Northern partners to continue cheap land policies or to build a Pacific railroad. These policies would have promoted an even greater Western expansion by the North, to the South's political detriment. Finally, ethnocultural issues significantly weakened the ties of many native workers to the Democratic party.

The increasing divergence of interest between Southern and Northern Democrats on economic issues lowered the value of the coalition to both sets of members. Although this does not imply that the Democratic party was no longer viable, it does imply that the major exchange underlying the party during the second party system had become more costly to maintain. During the course of this decade, many congressional seats traditionally held by the Democrats in the North moved into the Republican camp. As discussed in the next chapter, following the 1854 elections, Northern support for the Democratic party fell below all levels observed during the second party system.

A final background factor of the Compromise concerns the territories. As noted above, the balance rule was difficult to sustain over the long run in a growing country (Meinig 1993, 458-59; Nichols 1963,**). Because territories were central to maintaining balance and, ultimately, rights in slaves, as long as new free territories grew and clamored for statehood, there had to be new slave territories to settle.

85While this discussion slights the American party's capture of a large number of the districts defecting from the Democrats, especially in the northeast, there were no Americans in the House in 1858, the year analyzed below. The fate of the American party is detailed in Holt (1978), Silbey (1985), Potter (1976) and Fogel (1989).
The Wilmot Proviso and the Compromise. The Mexican war sought to capture a huge area of new land for slavery. For a variety of reasons — including their own concerns about maintaining sectional balance — Northerners reacted with the Wilmot Proviso: These include a mix of long-term concerns (such as the potential Southern dominance over the national government, having just admitted Texas and now facing the possibility of a large Mexican Cession) and short-term concerns (such as the recent passage of the Walker Tariff and Polk’s failure to pursue northern concerns with the Oregon territory about what is now British Columbia).

The proviso stated:

*Provided, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, . . . neither slavery nor involuntary servitude shall ever exist in any part of said territory.*

The Proviso passed the House but failed in the Senate where sectional balance allowed the South to exercise its veto. A major political stalemate resulted. Over the next four years, the North refused to recede from the Proviso, and the crisis worsened. A form of political gridlock ensued in which any important issue became tangled up with the sectional controversy, significantly hindering the on-going activities of the national government.

The Compromise of 1850 ended the deadlock. It contained several important pieces of legislation, one of which ended sectional balance by admitting California alone. But this was not the sole effect of the Compromise. Important from the Southerners perspective, the Compromise induced sufficient numbers of Northerners to recede from the radical position in the Wilmot Proviso, thus restoring the intersectional coalition underpinning the Democratic party. The compromise also

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86 For the reasons underlying the Wilmot Proviso, see Potter (1976) and **.  
87 *Congressional Globe*, 29th Cong, 1st Sess (Aug 12, 1846), pp. **.
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provided southerners with the first new fugitive slave law in two
generations.

An explanation of why Southerners helped pass these measures must
consider several factors. First, we now know that the decade of the 1850s
ended in a disastrous political failure. This is reflected in the titles of the
major books covering this period: "Crisis of the House Divided" (Jaffa
1959), "Ordeal of the Union" (Nevins 1947), "Prologue to Conflict"
(Hamilton 1964), "Impending Crisis" (Potter 1976), and "Crisis of the
1850s" (Holt 1978). Treated in this way, the decade seems as a "vortex"
between the years of stability and the Civil War (Potter 1976, ch **). Yet
the participants, especially in 1850, did not know this decade would end
in that manner. Nor did they know, as we do, that the second party system
would end over the next few years. Although the sectional struggle would
have increased their uncertainty about their world, relative to modern
analysts aided by hindsight, they were likely to have perceived
considerable continuity with the past. Certainly no convincing body of
evidence in 1850 indicated that precipitous changes were looming in the
coming decade.

Second, although the balance rule in the Senate was the ultimate and
most critical form of the credible commitment to maintain slavery over the
long run, a variety of other institutional factors contributed to the security
of Southern rights. In particular, a number of other veto points protected
the South in the short run. First, as the majority party, Democrats
dominated the national electoral institutions (see the discussion in chapters
5 and 6). The two-thirds majority requirement to nominate a president —
effectively a Southern veto within the party (see Aldrich 1991a and
especially Potter 1976) — ensured that only Southerners or Southern
sympathizers (e.g., Northern "Doughfaces") could be nominated as
Democratic presidential candidates. The Democrats' hold on the
presidency thus provided an additional veto point during most years.
Second, the Democratic hegemony during the second party system led to
appointments to the Supreme Court that were sympathetic to Southern
views on slavery. As long as these appointees retained their majority, they
could prevent major encroachments by a government and party hostile to slavery.\textsuperscript{88}

These two factors provided additional security to Southerners from potentially adverse decisions of the federal government. For short or moderate periods, Southern rights were protected even without sectional balance in the Senate. Yet, because the long run value of these factors depended upon the Democratic party remaining the majority party in the nation, they were vulnerable to a permanent change in party alliances.

**The Compromise.** In order to understand why the South accepted the Compromise, it is necessary to understand exactly what the latter entailed. Two factors are central to our discussion. First, it is clear that a significant number of Northern congressmen receded from the Wilmot Proviso, something they had been unwilling to do during the previous four years despite over a dozen attempts at a compromise\textsuperscript{89}. Second, it entailed a credible promise by Northern congressmen within the Democratic party to reinstate balance (Fehrenbacher 1978, ch 6; Nichols 1961, 1963). This occurred via the organization of the New Mexico and Utah territories without restrictions on slavery. Northern congressmen, previously supporters of the Wilmot Proviso, went on record as willing to consider statehood without regard to slavery:

> The great point in the Compromise was that the Northern interests surrendered the Wilmot Proviso, and the Southern extremists the concept that citizens could take their slave property anywhere as a Constitutional right. In the place of these principles was substituted popular sovereignty: the people in new units could create their own institutional and property patterns. . . . A promise was made that the territories would not be refused

\textsuperscript{88}The Democrats were, naturally, careful to ensure that their appointments maintained a Court sympathetic to Southern interests. Moreover, such a majority would last at least five years past the onset of a new, anti-Southern majority party, and probably more like 10 years. See \textsuperscript{***}.

\textsuperscript{89}On the dozen or so attempts to compromise between the first instance of the Wilmot Proviso in August of 1846 and the formulation of the Compromise of 1850 by Clay and then Douglas, see Potter (1976, ch \textsuperscript{**}). Notably, the attempt to extend the Missouri Compromise line to the Pacific passed the Senate but was rejected by Northerners in the House (cites \textsuperscript{**}).
admittance to the Union because they permitted or prohibited slavery. (Nichols 1961, 28)

Democrats expected that they would make good on this promise, and, had the circumstances of the early 1850s continued throughout the decade, the Democratic party may well have done so.

Though less valuable than a credible commitment to restore sectional equilibrium, the promise was more than mere rhetoric because the party had strong electoral incentives to honor it. A clear failure on the part of its leaders or members to honor the promise would, at best, splinter the party; more likely, it would destroy the party. In either event, the party was sure to lose its majority status, a position no leader and few members were willing to accept.

Maintaining southern support and the party's majority status thus compelled the Democrats to honor its promise to attempt to restore balance. Indeed, the compromise created the Democratic leaders dilemma. This dilemma forced northern members of the party to face a difficult choice. They could honor the party's promise, risking bad electoral consequences. Or they could renege on the promise, losing all hope of maintaining the Democrats' majority position in the nation and, possibly, creating political chaos. Although the former was risky, it was not as bad as the latter. Thus, the Democrats' promise was credible because the future of the party depended upon the party's willingness to honor it. In this view, doing nothing was not the same as maintaining the status quo but would eventually be interpreted as reneging on the promise. The Democrats could not sit back and do nothing for long.

The promise would remain valuable to the South as long as the Democrats retained their majority status in the nation. And, in the meantime, slavery and Southern institutions remained protected by other means.

**Southern acceptance of the Compromise.** The political battle in the South over whether to accept the Compromise was not straightforward and reflected differences in opinion about whether to accept the risk. To many Southerners, the Compromise appeared a good bet: As long as circumstances remained as they had been during the previous two decades, there was a strong likelihood that the Democrats would honor their
promise. Not all agreed, however, and secession attracted considerable support throughout the South.

To understand southern acceptance, we must consider southern preferences over the alternatives. Although the best type of compromise would have undoubtedly been to maintain balance via admitting a slave state along with California, this was not possible: No slave territory waited in the wings for admittance, hence no territory contained a group of citizens committed to the institution. There was simply no possibility of restoring the sectional equilibrium of the status quo prior to the Mexican War. Because Southerners' best alternative was not available, they had to choose among three less attractive ones:

(1) continue the stalemate;
(2) accept the Compromise;
(3) secede.

Each alternative had significant liabilities. Continuing the stalemate implied a greatly restricted ability to cooperate as a nation; virtually all other issues had become intertwined with this one as the various sides sought advantage by holding hostage policies valued by the other (cite). Moreover, because Northern expansion into the areas designated free would continue while Southern expansion awaited the necessary legal underpinnings for slavery, the South's position would worsen over time. Stalemate also risked escalation of the conflict. Accepting the compromise had the obvious liability already discussed: the promise to restore the balance rule might never be honored. Finally, secession not only risked war but would jeopardize the gains from cooperation with the North as a single nation.

A majority of Southerners in Congress chose the second alternative. Though their decision proved popular throughout the South, that support
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did not come without a fight between the unionists seeking to accept the Compromise and the radicals seeking secession

It is important to understand that Southern acceptance of the Compromise was explicitly conditional. The Georgia Platform, adopted in modified form by most Southern states, "became the sectional credo of the next decade" (Fehrenbacher, 1978, p. 177). Southerners agreed to accept the Compromise and remain in the Union so long as the North abided by its promise in the Compromise. Were the North not to do so, secession was a likely prospect:

The consensus of Southern opinion was best represented by the Georgia Platform of December 1850, the work of a special state convention, which announced a conditional acceptance of the late Compromise. Though willing to accept the Compromise "as a permanent adjustment of this sectional controversy," Georgia proclaimed its determination "to resist, even (as a last resort) to a disruption of every tie which binds her to the Union"; any act of Congress abolishing slavery in the territories, the District of Columbia, or federal forts and navy yards within the South; any attempt to restrict the interstate slave trade; any ban on new slave states; or any interference with the Fugitive Slave Law. (Sewell, 1988, p. 36 emphasis added.)

The southern decision over the Compromise is best interpreted as a rejection of immediate secession while embracing the principle of secessionism (Potter 1976, p**).

The Compromise thus ended four years of deadlock. Moreover, it proved a great political success for its proponents. In the congressional

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90 Though secessionists were not successful in 1850, their supporters made a considerable showing, if not a majority, in the various referenda on the Compromise throughout the South. See the discussion below in part V, especially ch **.

91 See, e.g., Fehrenbacher (1978, ch 6) and Potter (1976, **). To quote on Southern leader, Congressman Robert Toombs, during the congressional debates: "I stand upon the great principle that the South has right to an equal participation in the territories of the United States... She will divide with you if you wish it, but the right to enter all or divide I shall never surrender... Deprive us of this right and appropriate this common property to yourselves, it is then your government, not mine... Give us our just rights, and we are ready, as ever heretofore, to stand by the Union... Refuse it, and for one, I will strike for independence." (Quoted in Fehrenbacher 1978, 173)
elections of 1850, Democrats increased their share of the House of Representatives from 50.4 percent to 58.4 percent. Two years later, still riding the tide of the Compromise, they increased their share again (to a huge majority of 67 percent) and recaptured the presidency. The consensus among the historians is that this reflected a national acceptance of the Compromise (see, e.g., Fehrenbacher, 1978, p. **, and Potter, 1976, p. **).

The electoral results reveal that the Democrats' extension of the promise was not rejected by the Northern electorate. The latter did not judge such a trade as a fundamental violation of their interests and instead rewarded the party by electing considerably more Democrats over the next three years. Democrats advanced their position from holding 38 percent of Northern congressional seats in 1850 to 63 percent after the 1852 elections. This stands in marked contrast to the Wilmot Proviso in which Northern Democratic congressmen who failed to support the Proviso fared poorly in the election of 1846. In that year, the Democrats' share of Northern congressional seats dropped from 55 percent to 39 percent. Put simply, the Northern electorate rewarded the Democratic party for its role in the Compromise by electing its members in record numbers.

3. The Kansas-Nebraska Act and the Democrats' Loss of Their Majority Position

The nation in effect breathed a sigh of relief following the Compromise. After the Compromise's political success, many, perhaps most, citizens turned their attention away from national issues to local ones (as emphasized by the NPH; e.g., Holt 1978).

The central question looming on the political horizon concerned an age-old issue of the government promotion of internal improvements, now in the form of a Pacific railroad. This issue should be viewed in the context of the great Northern expansion of the 1850s. Underpinning expansion in part was an unprecedented railroad boom, extending the network of communication and transportation from the East coast to the Mississippi and beyond. During this decade, railroad mileage increased nearly an order of magnitude, from 1,300 to 10,000 miles (Fogel 1989, p.
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304). Railroads transformed the politics of internal improvements, for a railroad that afforded communication with the Pacific coast and opened up a large area to settlers was perceived differently in the early 1850s than had the internal improvements of roads and canals during the earlier Jacksonian era. 92

Three different routes to the Pacific had been proposed in the early 1850s, a northern one out of Milwaukee or Chicago, a southern one from New Orleans, and a central one through the Nebraska territory. At best, the nation could afford one. 93 Because the benefits were concentrated while the costs spread over all, any proposal to build one of these railroads would be opposed by proponents of the other two and would therefore not command a majority. Unless support for the railroad could be gained by tying it to another issue, no Pacific railroad was likely to be built. 94

Stephen A. Douglas, champion of the Compromise of 1850 and a major contender for the presidency, sought to advance his political career – and probably also his private fortune – by building the Pacific railroad through Nebraska. Douglas's role in this episode is important for us not because he controlled the contents of the bill – he did not – but because it provides us with a means of inferring his expectations about advancing his position as a national leader. Douglas's actions reflect an attempt to further his own fortunes and those of his party, not as an attempt to ruin both.

Building the railroad required the organization of the Nebraska territory (for example, to help grant title to lands, to facilitate their sale, and to help draw settlers), but also a trade to form a majority willing to

92 [FIX THIS: Moreover, as Holt (1978, **) observed, railroads generally changed the politics of internal improvements between the parties. Whereas, in the previous era, Democrats has generally opposed while Whigs supported internal improvements, now the principal factor determining support of internal improvement concerned whether the location was likely to benefit from it.]

93 As Fogel (1960) shows, it was not obvious that the nation could afford even one.

94 Reasonable models of this situation have been well understood for several decades. The simple log-rolling model of Buchanan and Tullock (1962), for example, provides useful insights in this context: any proposal to build a single route would be defeated by a coalition of those favoring the two other routes. Moreover, because building only one was feasible, the standard "pork barrel" solution of building many or all – the omnibus of projects – could not be used.
alter the status quo. To do so, Douglas sought an exchange with the South. In January of 1854, Douglas, chair of the Senate Committee on the Territories, introduced a bill to organize the territories of Kansas and Nebraska without regard to slavery. Southern reaction was clear: they could not support the measure as formulated. Because this land lay above 36°30’, the Missouri Compromise implied that Southerners could not move their slaves into the territory. This restriction prevented the development of a constituency favoring slavery and hence ruled out the possibility of such a territory becoming a slave state.

Douglas reacted to southern pressure by agreeing to an explicit repeal of the Missouri Compromise. He and other Democrat leaders realized this would be costly – reflected in Douglas's famous phrase that it would raise a "hell of a storm." Yet they judged that it would be worth the price. Several factors bolstered this judgement. First, the set of trades underlying this bill would allow the building of the pacific railroad and, therefore, for Douglas and the Democrats to claim credit for having put the measure through. Second, under the circumstances, it seemed a logical next step to the promise made in 1850, and accordingly many Democrats went along. Third, although the bill repealed the Missouri Compromise, Douglas believed that its popular sovereignty provisions would prove a suitable means to organize both Kansas and Nebraska as free states. Douglas thought that, if Northerners focused on the goal of keeping Kansas and Nebraska free, his formula would achieve it, despite repealing the Missouri Compromise. Finally, the Democrats' extraordinary strength in the Northern congressional delegation provided the basis for considerable self-confidence among Democrats. Because their support in the North appeared particularly strong, not fragile, they judged that they could afford to undertake a policy with short-term costs but long-term benefits.

At the time the bill was not seen as one that would become the center of a major political storm, ending the Democrats' hegemony as the majority party in the nation. That large numbers of Northern congressional

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95 An attempt in 1853 to organize this territory without any concessions to the South passed the House but was, naturally, vetoed in the Senate. See Potter (1976).

96 Cite or quote? [D's belief that ultimately the electorate would see it his way?]. With respect to KS being more likely to be free having split the territory, see ***.
Democrats supported this measure rather than shrinking from it with horror suggests that they did not expect it to bring disaster.

The reaction in the North proved overwhelmingly negative, far worse than anticipated (Gienapp 1985, Holt 1978, Nevins 1947, Potter 1976). Northern voters did not interpret the act as a logical step in the exchange underlying the Democratic party. Instead, this act was widely interpreted as "giving away our land" to the South for little in return. This judgement reflected the two factors discussed in chapter 8: first, the changing nature of the tradeoffs that the Northern electorate was willing to make, and second, this was not a new agreement to split land previously undesignated as free or slave, but one granting slavery access to land previously protected from it by the long-standing Missouri Compromise. Also important were the range of new political factors in the mid-1850s, including the rise of nativism. In this context, the Democrats' passage of the bill induced large numbers of Northern voters to wonder whether the Democratic party was controlled by a powerful "slave power" conspiracy using national policy to benefit the South. Many northern Democratic voters acted on these judgements by defecting from the party.

In the congressional elections following the act, Democrats lost an unprecedented number of seats (see Brady 1988, ch **). In the Congress that passed the Kansas-Nebraska Act, Northern Democrats held 91 seats while Southern Democrats held 67. In the 1854 elections, Southern Democrats lost only four congressional seats. In contrast, Northern Democrats lost 66 seats, retaining only 25. While the Democrats in 1854 had held the largest proportion of Northern congressional districts of the past decade and a half, 63 percent, this plummeted to the lowest proportion ever, 17 percent, after the elections. Moreover, the Kansas-Nebraska Act and the 1854 election have since become known as an important, defining event for the Republican party, signalling the end of the second party system.

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97The Kansas-Nebraska Act was once considered the defining event in the Republican party. New Political historians have shown that it is one of several important factors (the rise of nativism and the Republican's capture of the native vote from the American party is another). See Holt (1978) and Silbey (1985).
The Kansas-Nebraska Act was once considered by many historians as one of the biggest "blunders" of the decade (e.g., Randall 1940, Nevins 1947, II). In an obvious sense, this is true: the act accomplished nearly the opposite of what its designers intended, raising the tensions between the sections. Yet in another sense, the term "blunder" seems inappropriate because of its ex post considerations. Stephen A. Douglas, clearly the linchpin of the Kansas-Nebraska Act, helped pass this act because he expected it to enhance his prospects for the presidency, not hurt them. Moreover, the Northern Democrats – leaders and backbenchers alike – would hardly have knowingly committed mass suicide. That circumstances turned out much different than expected suggests that the reaction that occurred was widely deemed unlikely beforehand.98

Political Consequences

In the context of the much changed political environment of the mid-1850s, the Kansas-Nebraska Act began the unraveling of the Democratic party in the North and permanently split the northern and southern components of the Whig party (Holt 2000). The flip side of the coin was the overnight formation of the two new opponents, the American and Republican parties, with the latter triumphing over the former by the 1856 elections99. Thus:

The Kansas-Nebraska Act was one of the least successful examples of American political ingenuity. It not only failed to accomplish its primary objective, which was to permit the process of building new communities to continue peaceably and efficiently, but it caused the creation of a new political organization dedicated to destroying the carefully constructed

98Thus, this is not the same as making a "blunder" – that is, of having the relevant information and making a decision that was unwise based on that information. We now know that the Northern reaction to the Kansas-Nebraska Act induced a significant decrease in Northern support for Democrats (see, e.g., Brady 1988, ch 2). Little indicates that a decrease of this magnitude was widely perceived beforehand.

99Though developing this story would take us far afield from present concerns, it is important to observe that nothing was inevitable about the Republicans triumph. Indeed, many historians argue that the American party appeared to have the upper hand in 1854 (see, e.g., Holt 1978).
power balance maintaining equilibrium between North and South. (Nichols 1963, p. 121)

Second, the unanticipated but virulent Northern reaction to the Democrats also proved the principal step preventing the Democrats from honoring the promise made in the Compromise of 1850.

There are two ways in which the Democrats might fail to make good on their promise. The first is an outright reneging, for example, if Democrats leaders decided they were unwilling to attempt to keep the promise. The second is more complex and involves a defection, not of the leaders, but of the electorate when a small but pivotal group of districts replace representatives from the old majority with new ones who with different views. When this happens in sufficient numbers, the coalition dedicated to alternative principles transforms from a minority to the majority. Promises made by members of the initial majority are hardly binding on the new majority, and, moreover, members of the latter may well have been elected by advocating that the promise be broken. In this second case, there is no direct element of bad faith on the part of leaders: surviving politicians who made the promise may still wish to make good on it. Instead, their new minority status prevents them from doing so.

This second type of phenomenon occurred in the mid-1850s. The mid-decade loss in support for Democrats was sufficiently large that marginal areas of the Democratic party switched allegiance to new parties – principally the Republican in the West and the American in the East. By the 1856 elections, these two factions combined to form a powerful opposition Republican party. Dedicated to the principle of "free soil," Republicans were overtly hostile to any attempt to fulfill the Democrats' promise of 1850.

The electoral reaction against the Democrats and the subsequent rise of the Republicans eliminated the ability of the Democrats to make good on their promise in the Compromise of 1850. For a variety of reasons, their strength at the beginning of the decade appeared more secure than it proved in fact. Their first step at making good on the promise of 1850, the Kansas-Nebraska Act, proved a disaster. In combination with the factors noted in chapter 8 concerning the declining marginal support for the
Democrats in the North, this act lowered the support for that party sufficiently so that it lost its hegemonic position in the nation.

The Democrats next step in fulfilling the promise, the 1858 attempt to admit Kansas the 16th slave state, proved another failure for the Democrats. This proposal was promoted by President Buchanan and easily passed the Senate, 35-25. In the House, reflecting greater representation of Northerners, passage was highly uncertain and proved unsuccessful on a very close vote. As demonstrated in the next chapter, had the unanticipated decline in Northern support for the Democratic party not occurred, this measure would have passed easily. Instead, reflecting the new circumstances, it failed, and with it, the Democrats’ attempt to restore sectional equilibrium.

Revealing that the opposition had gained sufficient strength to block the Democrats’ proposals in the House, the failure to admit Kansas as a slave state colored the entire Buchanan administration. Historians continue to see these years as an increasing slide into War (see, e.g., Stampp 1990). The Democrats did not fail to honor their promise for lack of trying. Indeed, three of the largest political events of this decade proving so disastrous for them – the Kansas-Nebraska Act, the subsequent bleeding Kansas, and the attempt to admit Kansas as a slave state in 1858 – were undertaken precisely because these were the steps to make good on the promise.

Thus, Democratic party leaders did not shirk from their promise. Even after the obvious failure of the Kansas-Nebraska Act and the events in Kansas – “war” between slaveholding and free settlers and the submission of a pro-slave constitution widely regarded in the North as fraudulent – Democratic leaders pressed ahead with their attempt to admit Kansas as a slave state.

It is tempting to judge Democratic leaders on the basis of the reaction to these events – the destruction of the party's majority position in the nation, the increasing polarization of politics, the rise of an explicitly antislavery party. This chapter suggests a different interpretation, that the Democrats initiated this course of action and then pressed ahead despite the clear political dangers because they faced powerful political incentives to do so. The promise of the Compromise created a political dynamic that
was difficult to ignore, even in the presence of high costs. Had Democratic leaders reneged on their promise, the party would have lost the South and with it all hope for a return to its majority position in the nation.

Viewed in light of this alternative, the gambles undertaken by Democratic leaders become less puzzling. They were between a rock and a hard place. Rather than being obvious blunders, these gambles, though risky and, after 1854, courting further political disaster, were better than the certain disaster of the alternative course of action. Failing to press ahead would have destroyed the party. Of course, had the Democrats understood in 1854 the consequences of their actions, they may have sought a different path. Having initiated that path in 1854, however, it was difficult for Democratic leaders not to proceed.

4. A Model of the Democrats' Dilemma of 1854

The Kansas-Nebraska Act's remarkable failure raises the inevitable question of why the Democratic leaders pursued the Kansas-Nebraska Act? If the dangers inherent in the Kansas-Nebraska Act are so obvious to us, shouldn't contemporaries have understood them as well? To gain some insight into this problem, I apply a game of asymmetric information to the Democratic Leaders' dilemma in 1854. The game shows why the answer to this question is no. Although simple, the model communicates a set of insights central to understanding the puzzling events of the 1850s.100

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100 What follows is thus a heuristic approach, intended to illustrate an important principle for interpreting actions in the mid-1850s. In contrast to the simple models of part III, I do not intend to extend this model to a more realistic one, though I believe that could easily be done. The model is not intended as a fully realistic approach to the decisions made by party leaders over the Kansas-Nebraska Act or those of voters. It nonetheless conveys the essence of the dilemma in 1854, revealing why events did not turn out as anticipated for Democratic leaders and why we, looking back on these events with the aid of hindsight, see aspects of their dilemma more clearly.
The dilemma

The Democratic leaders’ dilemma hinged in part on the necessity of Southern support for the Democrats' proposal. Historians have emphasized that Southerners were in a strong bargaining position, often suggesting that the South was sufficiently powerful that it could dictate terms to Douglas and Democratic leaders. Few analyze the sources of this bargaining power, perhaps because the answer is straightforward. In the context of the absence of sectional balance in the Senate and the yet-to-be fulfilled promise of the Compromise of 1850, the great Northern expansion meant that the Southern situation was deteriorating. Moreover, the basic motivation and effect of the railroad bill would not only benefit solely the North, but would exacerbate the South's problems, so why go along?

The South's bargaining strength reflected this situation: Unless something really attractive was added to the measure, there was no reason for Southerners to grant their support. This, in turn, dictated the South's position and the only obvious solution to Douglas. Unless the long-standing Missouri Compromise were repealed, any compromise language in the bill organizing these territory (e.g., "without regard to slavery") was largely rhetorical. The need to assemble a majority for organizing the Nebraska territory underpinned the "all or nothing" participation of the South.

To organizing new territory, build Pacific railroad, and encourage northern expansion required considerable concessions to the South. American national politics in early 1854 put Southerners in a strategically strong position. Northern Democrats needed their support for these elements of national legislation. They therefore either had to go forward with something like the Kansas-Nebraska Act or do nothing. This logic shows why Douglas failed at the end of the 1853 session to organize Kansas and begin the Pacific railroad.

This logic also explains that Douglas did not control events and, in particular, why he could not control the legislative content of the 1854

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101As May (1973) suggests, an alternative was to expand slavery into the Caribbean, and during this era various proposals emerged to expand into Cuba and Nicaragua, among other sites.
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legislation. Nor, however, did events control him. The essence of this framework is to show that, had Douglas not believed the Kansas-Nebraska Act (as demanded by the South) would be better for the Democratic party than doing nothing, he could have chosen not to participate in it.

How we interpret the Democratic leaders' decision to pursue the Kansas-Nebraska Act depends on assessing two different things. First, this judgement hinges on what we consider the alternatives. I have just argued that doing nothing also had costs. For Northerners, doing nothing would have held up desired legislation to expand the northern economy into the west and build a Pacific railroad. As a range of historians observe, southerners in Congress held up a range of legislation of the type they had often supported during the second party system. For Southerners, doing nothing flirted with reneging on the Democrats’ promise and would allow the northern economy to expand (if at a slower pace) while the South had few areas where slavery could profitably expand.

Secondly, how we judge Democratic leaders depends on how we assess their expectations of the situation. To the extent that they, like we today, could see the looming disasters from moving ahead, we can say they courted disaster and, indeed, were blundering in the worst sense of the term: willfully forging ahead in the face of imminent danger.

Yet there is considerable reason to believe that we, with the aid of 150 years worth of historical work involving countless person year’s of effort, have a far better understanding of their situation than they did. In particular, the political disasters for the Democratic party that followed occurred because politically pivotal voters were far less securely in the party then they had been during the second party system. Put simply, how we assess Democratic leaders’ decisions depends in large part on our understanding of their beliefs about how strong was the pivotal voters' attachment to the party.

For several reasons, Democratic leaders are likely to have been uncertain about the pivotal voters attachment. Democratic leaders were uncertain, in 1854, how strongly voters in the Northwest felt about freesoil and about the role of the South in the Democratic party and the national

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102 See, e.g., Nichols (1961,47) and Fogel (1989,370).
government. Johannsen (1973, 439), for example, observes about Douglas that:

The years since the 1850 Compromise had witnessed a growing anti-slavery feeling in the north the depth and sincerity of which Douglas was not properly appreciative. Douglas believed that the passage of the compromise measures, with their acceptance of popular sovereignty, meant freedom for the nation from a troublesome an potentially explosive problem. He felt the nation could now get on with more important questions of national development and expansion.103

Party leaders were also uncertain about issues that have become clear to historians only in the last 25 years, namely, the effect of nativism on native workers and their support for the Democratic party104. As discussed in chapter 7, considerable economic, political, and ethnographic change had occurred in the United States, changing the relationship of many to their parties, and, for leaders, generating considerable uncertainty over the strength of their supporters attachments.

A series of factors contributed to the beliefs of Democratic leaders, including Douglas, about the strength of their pivotal support in the North. Considerable evidence suggested that the pivot’s support for the party remained strong. Not only had the Democrats remained the long-term hegemonic party for two and a half decades, but the party had consistently drawn intersectional support by taking a moderate line of compromise between the Southern and Northern position on slavery; in particular, pursuing balanced expansion. Popular sovereignty, adopted in part in the Compromise of 1850 and refined over the next few years by Douglas and others, was such a position. In this context – and given that few slaveholders had any desire to move into territory available to them in the

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103See also Holt (1978, 139-61).
104Recall that the centrality the native reaction to immigration and their disaffection with the Democratic party has emerged only in the last three decades, and thus reflects a debate ranging over a century and a quarter and reflecting 10s of 1000s of person-years of research.
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early 1850s\textsuperscript{105} – pursuing balanced growth necessitated making available land slaveholders had an interest at moving into, namely, the Missouri River valley.

Nonetheless, the evidence was not all on one side. Several factors weighed in the opposite direction, suggesting the pivots’ support for the Democrats was weak. The most important was the surprising tenacity with which northern voters and their representatives clung to the radical antislavery position of the Wilmot Proviso, leading to the four year political stalemate. Getting Northern Democrats to recede from the Wilmot Proviso and return to the traditional Democratic coalition was one of the supreme efforts of a generation. Similarly, historians have also emphasized that the signs of native unrest were visible in the early 1850s, including their dissatisfaction with the Democratic party.

Seemingly strong evidence countered these factors, however. Consider the parallel between the Compromise of 1850 and the Missouri Compromise of 1820: the latter was a bitter fight over several years, perhaps not as long or as deep, but settled the problem for a generation. (b) Most important was the electoral evidence cited above in chapter [5 or 6]. The 1850 and 1852 elections brought more Democrats to Washington than ever before, suggesting that support for the party was anything but weak. The poor showing of the Free Soilers in the early 1850s relative to 1848 also supports this conclusion.

In the end, Democratic leaders interpreted the evidence as weighing in favor of the pivot being strongly attached to the Democratic party. Democratic leaders therefore thought their strategy could resolve the antislavery agitation at this time, either by allowing the doctrine of popular sovereignty to remove it from the national agenda, or by allowing Kansas to become a 16th slave state.

The model

To illuminate why the Democratic leaders’ uncertainty about pivotal northern voters is so critical, I propose the following model focusing on

\textsuperscript{105} [Note that virtually no slaves were moved into any of the territories opened by the Compromise of 1850. Give reasons?]
the Democratic leader’s decision to move ahead with the Kansas-Nebraska Act based on their uncertainty about the electoral reaction in the North. The model highlights the crucial elements entering these leaders decision.

Uncertainty about the northern pivotal voter’s attachment to the Democratic party is central to the above discussion. The model represents this uncertainty by assuming that the northern pivot could be of two types—a strong Democratic supporter or a weak supporter. The difference in the types is that strong supporters are willing to remain with the party even in the face of undesirable legislation, whereas weak supporters will desert the party.

By convention, game theoretic models represent this uncertainty by giving the first move to nature, N, who “chooses” a type for the pivot. This does not literally mean that the pivot’s type is determined just before the Democratic leaders must make their decisions, nor that the decision is random. Instead, it is a device that allows us to represent Democratic leaders’ uncertainty about the northern pivot. The pivot’s type is in fact the result of a complex historical, cultural, political and economic circumstances, ones that were difficult for political actors to understand with perfect clarity at the time.

I assume that the pivots know their own type, but that the Democratic leaders do not. The latter are assumed to understand that the pivots’ support is uncertain. By convention, this uncertainty is represented by assuming there is a probability distribution from which the pivot’s type is drawn. In particular, Democratic leaders believe that with probability, \( \pi \), the pivot is a strong Democratic supporter and with probability \( 1-\pi \) it is a weak Democratic supporter.

After the pivot’s type is determined, Democratic leaders have the second move and must choose between pursuing the Kansas-Nebraska Act or doing nothing. The pivotal Northern voter has the final move, and she must choose whether to continue supporting the Democratic party or switch to an opposition party.
Figure 10.1: Democratic Leaders' Dilemma of 1854.
There are four possible outcomes: Democratic leaders pursue the Kansas-Nebraska Act and their pivotal voters remain with the party, (KNA,D); they pursue the Kansas-Nebraska Act and the pivot switches allegiance, (KNA,Sw); they do nothing (for now) and retain the support of the pivotal voters, (0,D); and they do nothing and the pivot switches allegiance, (0,Sw).

With respect to preferences, Democratic leaders prefer (KNA,D) to all other outcomes (see table)\(^{106}\). If they can manage it, Democratic leaders want to pursue the KNA and retain their support. After that, they prefer doing nothing (for the present) while retaining the support (0,D) of the pivot to pursuing KNA and losing the support of the pivot and hence losing their majority position (KNA,Sw).

**Table 10.1: Preference rankings**

<table>
<thead>
<tr>
<th>Democratic Leaders</th>
<th>Strong Pivot</th>
<th>Weak Pivot</th>
</tr>
</thead>
<tbody>
<tr>
<td>(KNA,D)</td>
<td>(KNA,D)</td>
<td>(KNA,Sw)</td>
</tr>
<tr>
<td>(0,D)</td>
<td>(0,D)</td>
<td>(0,D)</td>
</tr>
<tr>
<td>(KNA,Sw)</td>
<td>(KNA,Sw)</td>
<td>(KNA,D)</td>
</tr>
<tr>
<td>(0,Sw)</td>
<td>(0,Sw)</td>
<td>(0,Sw)</td>
</tr>
</tbody>
</table>

The pivots' preference ranking depends on the pivot's type (see table). A pivot who is a strong Democratic supporter prefers (KNA,D) to (0,D) to (KNA,Sw) while one who is a weak supporter has the opposite ranking (see table 10.1).

The main implications of this model are derived by working backwards through the game, beginning with the pivot's choice. If the pivot (of either type) observes no policy change on slavery (i.e., if D chooses "0"), she continues to support the Democratic party. But if D

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\(^{106}\)In the discussion, I ignore the fourth alternative in what follows because it plays no role in the action.
chooses KNA, then the two types behave differently. Strong Democratic supporters remain with the party (i.e., they choose "D") while weak supporters switch (i.e., "Sw").

Stepping back a stage and taking the pivot's behavior as given, Democratic leaders' choices depend upon their expectations about the pivot's type and on their relative ranking of the alternatives. These leaders know how the different types behave, just not what the pivot’s type. Because the pivots type is unknown – and taking the behavior of the two types as given – choosing KNA is, from the Democratic leaders' perspective, a lottery, with $\pi$ being their prior probability over outcomes. Choosing KNA yields D:

$$\pi U(KNA,D) + (1-\pi) U(KNA,Sw), \quad (1)$$

while choosing 0 yields:

$$U(0,D). \quad (2)$$

Moving ahead requires that the expected value of doing so exceed that of doing nothing, or that the value of (1) exceeds (2); that is:

$$\pi U(KNA,D) + (1-\pi) U(KNA,Sw) > U(0,D).$$

Rearranging terms, this implies that:

$$\pi^* = \frac{U(0,D) - U(KNA,Sw)}{U(KNA,D) - U(KNA,Sw)} \quad (3)$$

where $\pi^*$ is the critical probability value such that, if $\pi > \pi^*$, Democratic leaders prefer to move ahead with the Kansas-Nebraska Act. Equality (3) is not straightforward to interpret. It says that, for Democratic leaders to move ahead, they would have had to believe that their chances of success $\pi$ – that is, of yielding the outcome $(KNA,D)$, had to exceed a ratio; namely, the ratio of the difference between value of doing nothing and
failing to the difference between the value of succeeding and failing. The equality implies that, holding constant for the first difference, the larger the difference between success and failure, the lower is $\pi^*$. A numerical example will help. If Democratic leaders value failure at 0, doing nothing at 1, and succeeding at 2, then $\pi^* = .5$. In this example, as long as Democratic leaders believed success more likely than failure ($\pi > .5$), they would choose to pursue the Kansas-Nebraska Act.

**Implications of the approach**

This approach reveals several important implications for the rationality of Democratic leaders and their choices in the dilemma of 1854. First, it characterizes the circumstances under which the Democratic leaders' decisions were rational\(^{107}\). Given their uncertainty about the strength of the pivotal voters' support for the party, and knowing only what they knew at the time, pursuing the Kansas-Nebraska Act looked like a good bet. That the gamble failed reflects the nature of uncertainty and the information they could not have known beforehand, though which became revealed during the unfolding of the game. The striking and unequivocal voter reaction across the North to the Kansas-Nebraska Act, leading to the spectacular defeat of northern Democrats at the polls in the 1854 elections, unequivocally reveals to us that the pivots were weak democratic supporters. Yet we know this because of the voter reaction to the Kansas-Nebraska Act, something that the Democratic leaders in the summer of 1854 could not have known in advance.

Second, an advantage of the game theoretic framework is that it provides an answer to the question, if the weakness of the Democratic party is clear to us, shouldn't party leaders of the time have also understood it? The model provides a means of demonstrating why we know what they could not of known. The very unexpected reactions of the pivotal Northern voters in the game revealed their type, demonstrating to all – to Douglas, the Democrats, their political opponents, and to us – that

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\(^{107}\) Discuss somewhere that we cannot really tell whether these conditions hold because we possess no methodology for measuring expectations. Nonetheless, like historians, we can assess the impressionistic evidence on this point, showing that it is consistent with the assumptions made here.
the pivotal voter was not a strong Democratic supporter and hence that the Democrats' gamble had failed. Of course this bet looks far worse after the fact than it did before the fact, for we now know what was only revealed by their decision to proceed with the gamble. The analysis suggests that, had they too known, they would not have proceeded.

The model places the difference between the ex ante and ex post perspectives in stark form: After the fact, we know that the pivot was weak, so that \( \pi = 0 \). We know this, however, by observing the pivot’s ex post behavior. Before the fact, however, the probability that the pivot was of the strong type was \( \pi > 0 \). Indeed, it seems that it was Douglas’s judgement that the pivot was strong was sufficiently likely as to make the act look like a good bet. After all, he pursued this legislation to further his presidential chances, not to destroy them.

The problem for historian has been, what made for the unexpected change in the northern electorate? The very nature of historical enquiry, correctly focuses on the factors for understanding this change which contemporaries did not understand at the time, but which we, in part because of their actions and reactions, understand more fully. One consequence, however, is that the historical research generated by their failure implies that, in important ways, we more fully understand aspects of their environment and their dilemma then they did. Indeed, after learning the implications of so many changes over the second party system and early 1850s, the tendency is to ask how could they have not seen it?

5. Conclusions

The central importance of sectional equilibrium in American political stability during the spsp requires an explanation of its demise in the Compromise of 1850, ultimately the undoing of Southern slavery, requires an explanation. This chapter provides an explanation of how southerners allowed sectional balance to be broken. I argue is that Southerners participated in the Compromise of 1850 in part because they expected the Democratic party to restore sectional balance. Though the compromise
destroyed that balance, the Democrats' promise to attempt to restore it was credible. Powerful electoral incentives facing Democratic leaders made it in their interest to honor this promise. Put simply, failing to honor the promise risked losing support of the South, greatly hindering the party's ability to retain its majority status. Southerners knew their acceptance of the Compromise to be a risky choice, and the political battle in the South over whether to accept the Compromise reflected different views about whether to accept this risk.

Given expectations held in 1850, however, the risk seemed reasonable. Southerners had strong reasons to believe the Democrats would honor their promise, and in the meantime, they were protected by a range of other mechanisms. The next chapter provides considerable evidence favoring this claim.

Unfortunately for the Democrats, the United States political and economic environment had changed in important ways, though the implications of these changes would be only dimly perceived by contemporaries. Indeed, it has taken historians well over a century to understand them.

The major consequence of these changes was that the critical step in the Democrats' attempt to restore sectional balance, the Kansas-Nebraska Act, proved a disastrous political failure. This act not only ended the Democrats' political hegemony in the North and hence in the nation, but proved the initial event in a series of political changes that prevented them from ever making good on their promise.

In sum, the Democrats failed to fulfill the promise of the Compromise because of their expectations about the northern electorate. Democratic leaders were not nearly as clear as we are today about the weak support for Democratic party despite the party's huge success in the 1850 and 1852 elections. A small, unanticipated and permanent shift in party allegiance away from the Democrats – the party making the promise to maintain sectional equilibrium – to the Republicans – a party hostile to slavery and dedicated to halting its expansion – proved sufficient to convert the Democrats from the majority party in the House to the minority. The new context of divided partisan control of the national government rendered the Democrats incapable of fulfilling the promise.
Chapter 10. Evidence about Southern Expectations, The Majority Shift, and the Democrats’ Failure to Make Good on the Promise of 1850

Chapter 9 argued that Southerners agreed to the breaking of sectional balance in the Senate in part because it was seen as temporary. Southerners participated in the compromise for at least two reasons. First, the compromise ended four years of political stalemate, reconstituting the traditional Democratic intersectional alliance and breaking apart the northern coalition that had dominated the House. As part of the package, the compromise contained the first new fugitive slave law since the 1790s. Second, the Democrats made a credible promise to attempt to restore balance as soon as possible.

The Democrats failed to make good on this promise because they lost the representation in the House needed to succeed. Had the Democratic party retained its political hegemony, it would have been able to honor the promise. The change in partisan composition of the North and the increasing reluctance among remaining northwestern Democrats – both unanticipated – prevented fulfillment of the promise.

This chapter furnishes evidence for these claims about why the Democratic party failed to make good on its promise. The analysis proceeds in three stages. First, it discusses the historic willingness of the Democrats to support proslavery measures. This demonstrates that the coalition which formed to make the promise during the Compromise of 1850 was not a temporary one, but one with a long-standing history. Although the Democrats could not pass proslavery measures at will, they were able to do so on a regular basis.

Second, it describes the changing Democratic fortunes after the Kansas-Nebraska Act. This reveals that the magnitude of the party's unprecedented decline in Northern political support. For the remainder of the decade, Northern Democratic representation in the House of Representatives remained below all levels experienced during the second party system.
Finally, it turns to the construction of a prediction about the vote on the admission of Kansas as a slave state in 1858 had the Democrats not suffered such a decisive, negative change in political fortunes. Because those participating in the Compromise of 1850 could not have anticipated the unexpected loss in Democratic strength, the constructions provide a means for assessing whether the expectations held in 1850 could have been realized. The results support our contention that the promise made by the Democratic party was reasonable: that had the Democrats not experienced the unexpected loss in support, they could have easily passed a measure to admit a slave state to balance the admission of California.

Chapter 10 also used the model of part III to interpret the shift of a small but pivotal group of Northern voters from the Democrats to the Republicans. This chapter ends by providing some evidence about that shift and its consequences for voting in Congress.

1. Expectations in 1850

How we view Southerners' willingness to participate in the Compromise of 1850 depends upon the expectations we impute to them. Many Southerners in 1850 deemed the national situation sufficiently risky as to warrant secession. A larger number were willing to accept the Compromise, conditional on Northern adherence to it.

Because the actual events of the 1850s did not pan out as expected, the risk from the compromise looms larger after the fact than it would have seemed to many in 1850. This is not to deny the risk inherent in the compromise, but to argue that a majority of Southerners believed it would succeed rather than fail. The traditional approach to gauging expectations concerns inferring them from statements of individuals at the time. Based on these methods, historians emphasize that the Compromise of 1850 ended the immediate controversy and political deadlock, if not the larger conflict.\textsuperscript{108} Moreover, the enormous rise in support for the Democrats in

\textsuperscript{108}See, e.g., Potter (1976, ch **). This judgement is also implicit in many of the NPH accounts which emphasize the decline in attention to national issues and the rise of importance of local ones following the Compromise (see, e.g., Holt, 1978, ch **).
its aftermath suggests that it was viewed positively by large numbers of citizens.

My approach to reconstructing the expectations of Southerners takes a different tack from that of traditional historiography, one that complements the latter. It attempts to reconstruct expectations from observed behavior that provides us with guidelines for inferring future behavior. Two factors are relevant for this exercise, first the consistency of the Democratic coalition's willingness to vote for measures supporting slavery, and second the historic levels of national electoral support for the Democrats. These are considered in turn.

Were the coalition that passed the Compromise transient, Southerners would have had good reason to wonder whether it would form again to make good on the promise. Because of its basis in the Democratic party and that party's position in the nation, this coalition was not a one-time-only association. It was instead on-going and durable. Moreover, having made the promise, the party had strong electoral incentives to attempt to make good on it since maintaining its majority status depended upon those attempts. The durability of the Democratic coalition, its majority status in the nation, and its electoral incentives all influenced the decisions of congressional voting in 1850.

The South thus had strong reasons to believe that the party could pass a similar measure. Previous occasions on which the party supported the Southern position include the gag rules to limit antislavery petitions in the 1830s, the admission of Arkansas and Florida as slave states in 1836 and 1845, the annexation of Texas in 1845, and the launching of the Mexican War in 1846. Although the willingness of Northern Democrats to participate in this type of legislation was not unlimited or unconditional — as attested by the delay in the annexation of Texas or the Wilmot Proviso — the party could engineer such support on a recurring, if not routine basis. The tenacity of support for the Wilmot Proviso undoubtedly caused Southerners to question whether such a coalition would ever form again. Yet the whole point of the Compromise was to recede from the Proviso and return to the old pattern.
Chapter 7 illustrated the durability of this coalition by providing evidence of its influence on a series of economic issues during the second party system. This chapter further illustrates this durability by comparing the votes on the several slavery related measures across the second party system. For this purpose, I use the following House votes: the petition to prohibit slavery in Arkansas at the time of admission (1836), the measure to annex Texas (1845), the bill organizing the Utah territory in the Compromise of 1850, and the Kansas-Nebraska Act.109

The same pattern prevailed in all four bills (see Tables 10.1-10.4). In each case, a majority of Democrats supported the measure while a majority of Whigs (or Whigs and Free Soilers) opposed it. Southern support, not surprisingly, was typically higher than Northern support. In all cases, Northern Whigs in both regions formed the staunchest opposition, voting on average against these measures by almost seven to one. Most interesting for present purposes concerns the behavior of Northern Democrats. As the pivotal voters, the decisions of these congressmen determined each measure's success. In all cases, a majority of Northern Democrats supported the measure, voting for these measures on average by more than two to one. This pattern of support is displayed geographically in maps 10.1-10.3 for the 1845, 1850, and 1854 votes, respectively.

This analysis shows that, historically, the Democratic Party could pass proslavery measures based on pervasive support from its Southern and Border state representatives, some proportion of Southern Whigs, and a majority of its Northern members. Moreover, the same coalition supported the Kansas-Nebraska Act (table 10.4 and map 10.3), revealing that the expectations in 1850 that this coalition would form again were realized. Unfortunately for the Democrats and the South, the Kansas-Nebraska Act was only the first step in the process of restoring sectional equilibrium.

The Democrats' dominance of national elections was the second aspect that conditioned expectations at the time of the 1850 vote. Democrats had no strong reason to believe that the second party system would soon end

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109The 1854 vote is included to demonstrate the continuity of the coalition, not, of course, because it could have provided information to those in 1850!
or that a future act of their party would kill off a major portion of its strength in the North. In the context of the Democrats' previous electoral success, 1850 represents a relatively low point in the national support for the party. Between 1837 and 1850, the years following the Jackson administration, the Democrats' proportion in Congress averaged 53 percent while in 1850 they held only 49 percent. Many in 1850 doubted a return to normalcy. Nonetheless, the unprecedented rise in Democratic support in the North, reaching an all-time high of 67 percent in the following two elections, provided seemingly strong evidence that the era of Democratic hegemony would continue. The electoral reaction following the Compromise gave little indication that the Democratic party stood at a precipice, and instead, would have surely seemed to many as evidence that the Democrats had a secure future.

This pattern of Democratic hegemony in the North ended with the Kansas-Nebraska Act, as revealed by figure 10.4. In 1854, Democratic strength in the House of Representatives was at an all time high and had averaged over 55 percent since the end of the Jackson administration. The figure indicates a striking contrast. Although the Democratic share of Northern districts averaged 51 percent during the second party system, it fell precipitously in the three elections after 1854, averaging barely over 30 percent.

This pattern can be seen from another perspective by comparing maps 10.4 and 10.5. The maps portray each state by the percentage Democratic of its House delegation for the 33rd and 34th Congresses. For the 33rd Congress (which passed the Kansas-Nebraska Act), the Northeast, Northwest, and South look roughly similar (with the Northeast slightly less Democratic). Of the fifteen Northern states excluding California, all but four were represented by a majority of Democrats. Map 10.5 displays the loss of Democratic strength in North for the 34th Congress — only one of fifteen states was represented by a majority of Democrats.

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110 This difference was just under a half a standard deviation of 8.5%. The following figures differ only slightly if calculated from the beginning of the Jackson administration (1828).
Figure 10.5 provides similar evidence about the Senate. Because only a third of the Senate stands for reelection at the end of each Congress, once-and-for-all changes in the political fortunes of a party may take up to three election cycles to register. The figure shows that the Democrats' share of the Senate remained high throughout the late 1840s and the early 1850s. The party’s share of Northern Senate seats varied more widely. After the Compromise, it grew from a local minimum of 50 percent in 1850 to a high of 66 percent in 1854. In the three elections following the Kansas-Nebraska Act, however, the Democrats' share of Northern Senate seats plummeted steadily to just 28 percent immediately following the 1858 elections.\footnote{Two states were admitted in the third or lame duck session of Congress following the 1858 elections, Minnesota and Oregon. Since these states are not included in the figures prior to that election, the comparison in the text omits them from the figures afterward. These states elected Democratic senators, increasing the proportion of Democrats in the Senate above 28 percent.}

Calling the Kansas-Nebraska Act "a signal from Washington that brought instant and dramatic electoral change," Brady (1988, p. 176) provides two additional pieces of evidence to support the view that the Democrats experienced an unexpected, once-and-for-all loss of support in the North. First, his study of turnout for national elections shows:

In American politics presidential elections are high-salience elections, and off-year elections normally low-salience. Voter turnout thus declines dramatically in off years. In the 1854 House elections the effect of the Kansas-Nebraska Act was to create so intense a reaction against the Democrats and Whigs for passing the bill as to increase voter turnout where a 14 percent decrease would normally have been expected. . . The increase in turnout yielded a strong pro-Republican Party vote, which was maintained throughout the Civil War era. In the Northern states holding House elections prior to Kansas-Nebraska, turnout declined a predictable 13.25 percent. \textbf{The turnout figures for 1854 are unique in American political history.} (Brady 1988, p. 172, emphasis added)

The unique absence of a decline in turnout for the mid-term congressional elections suggests the intensity of Northern reaction.
Second, based on an econometric analysis of electoral results, Brady estimates that the 1854 election led to a once-and-for-all decrease of 3.6 percent in electoral support for the Democrats. He also computes the "swing ratio" relating national party vote totals to the number of congressional seats they capture. This reveals that a one percent change in a party's electoral vote leads to a three percent change in the number of congressional seats. Brady’s analysis implies that the once-and-for-all decrease of 3.6 percent in the support for Democrats translated to a permanent loss to following the Kansas-Nebraska Act of congressional 17 seats, largely in the North.112

By way of summary, this evidence suggests that the reaction of the Northern electorate to national events had changed by the mid-1850s. Because the Democratic party — leaders and members of Congress alike — would hardly have knowingly committed mass suicide, we can infer that the precipitous drop in electoral support following the Kansas-Nebraska Act was unexpected113. Further, because this drop in support was unanticipated, elected officials could not have expected this in 1850.

### 2. Evidence on voting to make good on the promise of 1850

To provide some evidence in favor of the contention that the shift in representation away from the Democrats in the North prevented them from making good on the promise of 1850, I investigate the attempt to admit Kansas as a slave state under the Lecompton Constitution in early 1858. The case of admitting Kansas under the Lecompton Constitution is especially relevant for our problem. The violence induced by the popular sovereignty provisions of the Kansas territory combined with the obvious electoral fraud surrounding the proslavery Lecompton Constitution made

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112 That is, $3.6\% \times 3 = 10.8\%$. Given that the Democrats held 158 seats in 1854, a loss of 10.8% represents approximately 17 seats.

113 As noted in chapters 8 and 10, many factors besides the Kansas-Nebraska Act contributed to this decline. Moreover, events during the 1850s such as the rise of nativism, the war in Kansas, and the *Dred Scott* decision contributed to the desertion of Northerners from the Democratic party.
supporting the party's initiative difficult for large numbers of Northerners (Holt 1979, Nevins 1950, Nichols 1948, Potter 1976). Despite the controversy, the Democrats proceeded. Although they almost succeeded, the act failed by just eight votes.

It is worth emphasizing at the outset that this analysis is not intended to suggest what might have happened had Kansas been admitted as a slave state. It makes no attempt to address the question of whether Kansas, nominally admitted as a slave state, would have reliably remained in the slave coalition. The main point of the analysis is instead that, whether or not Kansas would have effectively reestablished the Southern veto, the vote on admitting Kansas as a slave state provides a good indication about the ability of the Democratic party to have made good on its promise of the Compromise.

The principal vote defeating the measure took place in the House. In spite of the controversy surrounding Kansas and the Lecompton constitution, the measure was strongly pushed by President Buchanan, and it easily passed the Senate, 35 to 25. In the House where Northerners held a large majority, antislavery forces introduced a substitute measure that sought to force a new and fair referendum on the constitution before Kansas could be admitted. The substitute passed on a close vote of 120-112. Had just four additional Northern Democrats supported their party—less than two percent of those voting—the Democrats would have succeeded in admitting Kansas as the 16th slave state.

Although in 1858 Democrats held a proportion of the House near their historic average, their strength was provided by a concentration, unusual by historical standards, in the South. In this Congress, the Democratic party held only 37 percent of all Northern districts, markedly below their historic average of 50 percent (see figure 10.4). Table 10.5 presents the relative frequency of the various groups of congressmen supporting Kansas statehood under the proslavery constitution. Nearly all congressmen from slave states voted for the measure (92 percent). Support by Northern congressmen, as with the four pro-slavery measures studied above, was partisan, though not nearly as strongly as the others. A majority of Northern Democrats voted in favor (58 percent) while all Republicans voted against.
The geographic distribution of votes for Lecompton is shown in map 10.6. As can be seen, the pattern of support differs considerably from the other proslavery votes discussed above. Support in the North was noticeably weaker for this measure. Because a majority of northern Democrats voted with their southern party members, it is largely the relative absence of Democratic representatives from the North that helps explain the difference between this pattern and that of the others. Indeed, the proportion of northern Democrats supporting this measure exceeded that supporting the Kansas-Nebraska Act (58 percent compared with 51 percent).

Three aspects had changed between 1854 and 1858, two characteristics of Northern behavior and one about the environment. First, Democrats of the Northwest were significantly less likely to support the Southern position. Second and more importantly, there were relatively fewer Northern Democrats throughout the North. Third, the circumstances surrounding "bleeding" Kansas followed by the Dred Scott decision in early 1857 worsened the appeal of any compromise with the South among the Northern electorate. Each factor contributed to the defeat of the attempt to admit Kansas as a slave state in 1858.

For present purposes, the third factor must be taken as given. The following attempts to show that had either of the first two factors been different the measure would have passed.

**Vote reconstructions.** I present two alternative methods for evaluating the hypothesis that the promise failed due to the mid-1850s swing in Northern districts away from the Democrats. In each case, the purpose is to reconstruct what the vote would have been had the Democrats retained their historic levels of support in the North. The first is a simple and direct calculation. The second represents a more defensible statistical procedure.

The first method begins with the supposition that the Democrats in the North had, in 1858, retained their historic strength of 50 percent of all Northern congressional districts. This would have increased the number of Democrats in the Northwest from 21 to 26 and in the Northeast from 32 to 46. Assuming that these Democrats would have voted in favor of the Lecompton Constitution with a frequency equal to that actually observed
among other Democrats from their region, the vote in favor would have increased by 13. Thus, *had the Democrats retained their historic strength in the North*, the Lecompton Constitution would have *passed* by a vote of 125 to 107 rather than failing by 112 to 120.\textsuperscript{114}

A second and statistically more defensible approach to constructing the vote yields the same conclusion. This approach begins by estimating a logit equation based on the pattern of observed voting behavior and then using the estimations to predict the vote, assuming that the mix of congressmen had been slightly different. The overall performance of the logit is high, correctly predicting 99.1 percent of all votes (the statistical analysis is reported in the appendix to this chapter). The computed mean probability of a congressman supporting Kansas as a slave state is given in table 10.6 by party and region. The estimated probabilities are close to those actually observed (tables 10.5 and 10.6), reflecting the good fit of the logit estimations. The problem of voting in favor estimated for Southerners (from all slave states) of both parties (Democrat and American) are identical to observed frequencies. Republicans are estimated to have voted for the Southern position with zero probability, while among Democrats, those in the Northwest with a probability of .34, those in the Northeast with a probability of .75.

To construct the appropriate predictions, again assume that Democrats maintained their historic average level of electoral success, holding 50 percent of all seats in both Northern regions. As before, this involves a net increase of five congressmen from the Republicans to the Democrats in the Northwest and fourteen in the Northeast. Given these shifts, there are two ways to predict the vote based on the logit estimations. The first takes the estimated probability from each category and assumes, for each member being shifted, that he votes for the Southern position if and only

\textsuperscript{114}This analysis, like those below, ignores the problem of abstention. However, since all but two members of the House voted on this measure, correcting for abstentions would change the reconstructed vote totals by at most one vote. This will be remedied in a future version.
if the estimated probability is above .5. The second takes the estimated probability and then multiplies it by the number of members being shifted.

The results of the two methods are nearly identical. The first yields an increase in support of fourteen to the Southern side, implying that the House would have admitted Kansas under the Lecompton Constitution by a vote of 126-104. The second method yields an increase of twelve votes for a predicted final vote of 124-106 in favor of Lecompton. In either case, the analysis shows that, had the Democratic party maintained its historic level of support in the North, it would have succeeded in honoring its promise to the South.

Because the vote was so close, a word about Democrats in the Northwest is necessary. The electoral reaction to the Kansas-Nebraska Act, bleeding Kansas, and *Dred Scott* increased the attractiveness of free soil to voters in this region. From the point of view of Douglas and many of his supporters in this region, the furthest they could go toward supporting the Southern position was the doctrine of popular sovereignty; that is, of allowing the citizens of the territory to decide the question of slavery. For these Democrats, accepting the fraud of the Lecompton Constitution would have been political suicide (cites). Douglas in particular felt he could not win his upcoming Senate election had he supported the Lecompton fraud, and thus worked with the Republicans to defeat the admission of Kansas as a slave state. This, in turn, caused many southern democrats to consider him a traitor.

In consequence, a much lower proportion of Democrats in the Northwest supported their party’s position than historically had been the case — only 29 percent compared to an average level of support on the four pro-slavery measures studied above of nearly 75 percent. Had their level of support even approached historical standards — for example, had 50 percent of them supported the party — five more Democrats in the Northwest would have voted in favor rather than against, implying that the measure would have passed, 117-115.

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This is a standard assumption in logit analysis and underlies the calculation of the "percent correctly predicted" reported along with most logit estimations, including those in this study.
Thus, had either of the two components of the Northern reaction to Kansas events not occurred – the unexpected loss of Democratic seats and the strongly diminished inclination of Democrats in the Northwest to vote with the party on proslavery issues – the vote in favor of Kansas statehood under the Lecompton constitution would gone the other way. Combining the historic Democratic strength with the support of 50 percent of Northwestern Democrats for the pro-slavery position leads to the conclusion that the measure to admit Kansas as the 16th slave state would have passed the House 131-101.

All the above reconstructions of the vote on this measure point to the same conclusion: Had the political environment of 1850 continued throughout the 1850s, the Democrats’ attempt to admit Kansas as a slave state in 1858 would have succeeded. The main implication is that Southerners in 1850 had strong reasons to believe that their party would make good on the promise extended in the compromise.

3. Conclusions

This chapter provided evidence supporting my hypothesis that Southerners agreed to the Compromise of 1850 because they believed the Democrats would attempt to restore section balance. The Democratic party was not only a stable coalition supporting a package of policies on economic and slavery issues, it had been the majority party since the election of Jackson. Expectations in 1850 were conditioned on the party's historic level of support and on the recurrent Northern willingness to support pro-slavery positions. Over the period of the second party system, enough Northerners joined most Southerners to pass a series of proslavery measures. Moreover, as emphasized in chapter 9, having made the promise, the party had strong electoral incentives to make good on it. Maintaining majority status required support from the South, and the latter, in turn, required making good on the promise.

This chapter provides evidence that Southern expectations in 1850 were reasonable. It does so by showing that Democrats had regularly, if not constantly, passed proslavery measures sought by the South. Indeed,
this coalition underpinned the Kansas-Nebraska Act, initiating the party's decline. The analysis of the vote to admit Kansas as the 16th slave state in 1858 shows that, had Democrats retained their historic levels of support throughout the North, this measure would have succeeded easily. Although the Democrats' measure failed, my statistical reconstructions showed that, had the unexpected, once-and-for-all shift away from the Democrats not occurred, this measure would have succeeded. Because participants in the Compromise of 1850 could not have anticipated the Democrats' loss of support in the mid-1850s, the constructions for the 1858 vote suggest that Southern expectations that the promise would have been fulfilled were reasonable.

In important ways, the Kansas-Nebraska Act, "bleeding Kansas," and the attempt to admit Kansas as a slave state contributed to the undoing of the Democratic party. This has led many to question the wisdom of its party's leaders in their major decisions throughout this decade. Yet their behavior looks far more puzzling ex post than ex ante. Looking backward, we know the consequences of the decisions which the leaders could not have. Furthermore, the observation that Democratic leaders were willing to pursue measures risking their Northern support suggests the strength of their incentives to make good on that promise.

A final comment is necessary about the implications of the counterfactual analysis. The analysis is not intended to suggest that the hands of time could have been turned back, or that, somehow, the disaster for the Democrats following the Kansas-Nebraska Act could have been averted. It is instead designed to show that, given expectations held in 1850, it is reasonable that the Southerners believed that the promise to maintain section equilibrium could have been fulfilled. The counterfactual analysis does not imply that, had only four votes switched, Kansas would have been admitted as a slave state and all would have been well following the restoration of sectional equilibrium and a viable Southern veto in the Senate. There remains considerable uncertainty over whether Kansas could have served that purpose in practice. Instead, the point of the analysis is to show that the expectations about the promise made in 1850 were not unreasonable, and that even as late as 1858, after a series of events adverse to the Democrats in the North, the Democrats could still muster sufficient
support to come within four congressmen of succeeding in passing a controversial, proslavery measure.

**Appendix to Section 10: Logit Analysis of the House Vote to Admit Kansas As a Slave State, 1858**

This appendix describes the logit estimations upon which the analysis in the text is based. The dependent variable is the vote on the substitute amendment offered by the antislavery forces in the House. It barely passed, 120-112, on April 1, 1858. The independent variables used are the standard set used throughout this study, dummy variables for regions (South, Border, and Northeast), party (Republicans, Democrats, and Americans), and the two Poole-Rosenthal Scores, PR-X and PR-Y (corresponding to ECON and SLAVERY used in the logistic estimations discussed in section 7).

The results for several specifications are reported in Table 10A.1. In all cases, the logits perform well. However, for this particular vote, the algorithm would not converge when all the variables and a constant term were included. Hence one variable is left out, either the constant or the Northeast dummy. The best performing specification is (1) and is therefore used for the calculations reported in the text, including those reported in Table 10.6. This has the highest log likelihood value, -3.98 (compared to an initial value of -160.81) and the highest percent correctly predicted, 99.1% (compared to the null model's percent correctly predicted of 51.7%).

Many of the independent variables are highly collinear, as is clear from the reports of the PR-X and PR-Y by region and party (section 7). Hence the coefficients in the first specification are not estimated precisely. Yet the overall fit is good, and its predictions closely conform to observed rates, so we have some confidence that the computed probabilities of vote for the amendment are good estimates. Specifications (3) and (4) show that when subsets of the variables are excluded, the precision of the estimates increase. Thus the lack of precision in specifications (1) and (2) is probably due to multicollinearity, not an absence of a relationship between the set of independent variables and the dependent variable.
Chapter 11. Conclusions

Parts II and III demonstrated the importance of creating a credible commitment to protect slavery within the American national system. Nothing inherent in the politics of slavery made it inevitable that slavery would be protected. Indeed, the many attacks on slavery by Northerners suggested its vulnerability. The Riker thesis developed in chapter four demonstrates the vulnerability of slavery within the American system. Northerners, holding a majority, had no incentive to respect slaveholders’ rights in slaves. Indeed, some northerners had just the opposite incentives – to use slavery as a political weapon to attempt to dislodge other Northerners from their coalition with Southerners.

On two major occasions, Northerners upset with the potential for southern dominance of the national government attacked slavery directly, creating crises in 1819-20 and again in 1846-50. Moreover, Northerners regularly, if not constantly, introduced antislavery measures and amendments in Congress; in addition to the 1819 and 1846 amendments, these include the Hillhouse Amendment to organizing the Louisiana purchase in 1804, the 1836 admission of Arkansas, the admission of Texas in 1845, and the attempt to admit Kansas as a slave state in 1858.

In this context, balance between the sections – known to contemporaries as sectional balance – served as a major form of credible commitment by northerners to protect rights in slaves within the national system. By granting Southerners a veto over national policymaking, sectional balance ensured that no policies hostile to the slaveholding system could become national policy. The many northern antislavery initiatives demonstrate the need for this veto.

Once in place, sectional balance had substantial and pervasive effects on policy choice and the political characteristics of the second party system. As emphasized in the NPH, two central characteristics of this system were its suppression of regional impulses and the emphasis on economic issues (Silbey 1985). The model above shows that these characteristics critically hinged on the constraints imposed by political institutions, and further, that the latter were deliberately constructed to
achieve and maintain those characteristics (see Weingast 1998). The analysis also implies that the stability of both rights in slaves along with a party system sustaining intersectional coalitions cannot be accepted as "facts." Put simply, these phenomena were not inevitable properties of antebellum politics and did not hold simply by virtue of public opinion. Once this is understood, the dispute over the territories and the expansion of slavery becomes easier to understand — they were inextricably intertwined with a larger dispute over the rights themselves.116

Chapters 5 and 6 provide considerable evidence supporting the model. Using analyses of congressional votes, I show that preferences of members of Congress are of the form assumed by the model and, further, that members vote on economic and slavery issues as the model predicts. Finally, I construct a winset for the 1846 Congress. This shows that the winset for the House of Representatives is of precisely the form generates the Riker thesis: slavery is vulnerable; but that in the Senate, where Southerners have equal representation, slavery is secure.

My strategy in part IV is fivefold. First, chapter 7 investigates the economic, social, and political changes in antebellum America over the course of the second party system. This shows how the fundamental interests in the various regions changed. I argue that these were reinforcing, making the dominant coalition of the Democratic party — between voters in the South and the Northwest — more costly to maintain and a coalition between voters in the Northwest and the Northeast more valuable.

Second, chapter 8 provides a model that shows that slaveholders reasonably feared the Republicans. Rhetoric aside, the Republicans posed a serious threat to the slave economy. Even if the threat was not very likely, the consequences were so serious as to force slaveholders to worry about it.

Third, as the chapters in part III demonstrate, protecting slaveholders within the American national political system required a credible commitment to protect slavery. The principal of sectional balance had

116This does not imply that all Northerners favoring free soil wanted also to free the slaves.
served this purpose during the second party system. In the 1850s, maintaining this credible commitment to slavery required either restoring sectional balance or creating a substitute mechanism to serve in its place. Calhoun’s “concurrent majority,” typically considered a curiosity and an oddity in part because it had no chance of ever becoming a reality, was precisely such a mechanism.\textsuperscript{117}

After the rise of a party explicitly hostile to slavery and wary of the slave power conspiracy, this problem became more complicated. Nonetheless, protecting the slaveholding economy during the mid to late 1850s required creating a political mechanism that could credibly tie the hands of the Republicans so that slavery was safe even with Republicans in office. From the perspective of slaveholders, part of the danger of the Republicans lay in just their refusal to negotiate, to take serious southern demands for protection within the system.

The Republicans emphasis on free soil is directly relevant here. As Foner (1971) and others have detailed, this policy had many effects on the North, including ties to free labor, maintaining the dream of the availability of western land free of competition from slave society, and to some, as a first step toward abolition. Although many note that this policy implied the South would lose relative political power as the North continued to grow while the South remained stable, these works have not studied the full implications of this loss. In the context of the sectional balance as the historic mechanism to provide a credible commitment to the southern slave economy, free soil meant the end of such a commitment by Northerners.

\textsuperscript{117}Indeed, Calhoun discussion of the loss of sectional equilibrium may well have alluded to his proposed constitutional amendment in his valedictory speech to the Senate on March 4, 1850. After discussing the possibility of a final settlement of the sectional controversy then befalling the nation, he asks, “But can this be done? Yes, easily ... The North has only to will it to accomplish it – to do justice by conceding to the South an equal right in the acquired territory, and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled – to cease the agitation of the slave q, and to provide for the insertion of a provision in the constitution, by an amendment, which will restore to the South, in substance, the power she possessed of protecting herself, before the equilibrium between the sections was destroyed by the action of this Government.” [quoted in Wilson (1992,392)]
From the perspective of slaveholders, not only were the Republicans hostile to slavery, but their refusal to maintain the historic means that protected slavery within the American system was directly threatening. If slaveholders thought the credible commitment necessary with the Democrats as the majority party, then surely they were right to feel this even more strongly with the Republicans in power.

Fourth, chapter 9 discusses the Compromise of 1850, which broke sectional balance. In return for admitting California, Southerners received three things: Northerners agreed to recede from enacting a policy of free soil through the Wilmot Proviso, organizing the New Mexico and Utah territories without restrictions on slavery; northern support to pass the first new fugitive slave law in six decades; and a promise from the Democratic party to help restore balance. As I argue, this promise was critical to southern participation in the compromise.

The principal exercise in chapters 9 and 10 is to demonstrate that, given expectations in 1850, Southerners could reasonably expect that the Democrats would be able to make good on their promise. No one in 1850 expected that the Democrats would lose their major status in the nation within four years. Indeed, the Democrats rode the Compromise of 1850 to electoral success, recapturing both houses of Congress and the presidency. After the 1852, the Democratic portion of the Northern delegation to the House of Representatives was at an all time high of [67] percent, hardly suggesting that the party’s electoral position among northern voters was weak. Yet the Kansas-Nebraska Act was such a large disaster for the Democratic party in the North that it permanently lost is majority status.

Chapter 10 provides considerable evidence to support the reasonableness of southern expectations in 1850 that Democrats could make good on their promise to restore balance. Using standard statistical analyses of congressional voting, I show that, had the Democrats maintained their average historic strength over the second party system, they would have easily succeeded in their attempt to admit Kansas as the sixteenth slave state in 1858. This is not to suggest that, had the Democrats succeeded in restoring balance, all would have been well in 1858 – far from it. Rather, the purpose of the exercise is to suggest that the
expectation in 1850 that the Democrats could restore balance were reasonable.

Fifth, and perhaps most important, the Democrats’ promise in the Compromise of 1850 set in motion an imperative for Democratic leaders that was to define the tumultuous politics of the next decade. What made the promise credible was that Southerners would simply desert the party had Democrats reneged on this commitment. Thus, in 1854, Southerners were able to force Senate leader, Stephen A. Douglas, and President Franklin Pierce to accept the repeal of the Missouri Compromise in the Kansas-Nebraska Act. Although all historians note the importance of southern pressure – including the dramatic meetings forcing Pierce to accept – they do not explain why Southerners had such leverage over the party.118

As is well-known, the act proved a disaster for Democrats, permanently losing a pivotal number of Democratic seats in the House so that there were never again enough northern Democrats to help pass pro-slavery measures.119

Historians vilify President James Buchanan in part because the principal act of presidency – attempting to admit Kansas as a slave state in 1858 – occurred in circumstances so steeped in fraud as to become illegitimate in eyes of many Northerners (cites ***). It appears that, just when foresighted leadership was needed, Buchanan poured oil on the fire.

My perspective helps explain Buchanan’s actions: the imperative created by the absence of balance forced Democratic leaders to move ahead. The judgement that Buchanan blundered here implies an unstated counterfactual: that had he not tried to admit Kansas as a slave state, all would have been well. I argue that this counterfactual is false, in part because modern historians focus on the North rather than the South.120 It is true that the disastrous effects of this act for northern Democrats would not have occurred had Buchanan and the Democrats not moved ahead with

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119Brady (1988, ch **) provides the most thorough and quantitative analysis of the electoral effects of the Kansas-Nebraska Act.

120A point made for the period before 1854 by Freehling (1990).
the Kansas statehood. Yet other disasters would have occurred, namely the
desertion of Southerners from the Democratic party. Democratic leaders,
President Buchanan in particular, were between a rock and a hard place.

Of course, the flip side of the Democrats failure is the demise of the
second party system and, after two years of intense competition with the
American party, the rise of the Republicans to electoral success in 1860 (as
historians have well analyzed – see, e.g., Holt 1978, 2000, Potter 1976,
Silbey 1985).

Moreover, evaluation of the Democratic disasters of the 1850s must
be self-conscious of our use of hind-sight\textsuperscript{121}: we now more clearly than
contemporaries understand how the world had changed over the course of
the second party system, undermining the stability of the party system. As
articulated in chapter 7, several dramatic features changed underlying
political interests of the nation. First, the transportation revolution had tied
the Northeast and Northwest more closely and, simultaneously loosened
the bonds between Southern Democrats and their northern coalition
partners.

Second, the unavailability of land suitable for the expansion of slavery
contrasted with the huge expansion into the plains states, aided by
railroads, for the northern economy (Meinig 1993, Nichols 1963). This
asymmetry put slaveholders at a serious long term disadvantage, and
helped fuel their rationality of fear and thus their seeming desperation to
expand slavery.

Third, immigration had several effects on politics. As noted by NPH,
it changed the northern urban economy, dislodging native workers from
their historic positions. These natives, in turn, loosened their historic ties
with both parties, fueling partisan change after the Kansas-Nebraska Act
immigration had a second effect, namely, to expand the Northern
population. In 1800, the population of both sections was roughly the same.
Yet in 1860, the northern population was double that of the South. This
made a purely northern party much easier to muster.

\textsuperscript{121}Several historians make this point quite eloquently: see Potter (1976,** and
These changing factors and their implications were only dimly perceived at the time. Political leaders in 1850 did not see themselves standing at the end of the second party system, with their actions ready to change the world as they knew it. Indeed, Democratic leaders pursued their pro-slavery agenda in the 1850s much as they had in the earlier decades. But what succeeded in the earlier era did not in the 1850s.

In short, part IV argues that we cannot understand the 1850s without understanding the demise of sectional balance, southerners’ rationality of fear, and the changed circumstances that differentiated 1850s politics from that of the second party system. Given their expectations, Southerners and Democratic leaders acted reasonably in the Compromise of 1850, setting up an imperative to restore balance. Yet, in the changed circumstances of the 1850s, these expectations were not born out, with disastrous effects for the party and the nation.

To an important degree, the abolitionists were right about the Constitution. The United States was built on an exchange between the free and slave sections, explicitly granting the latter protection within the American system. As circumstances changed and the nation grew, Southerners demanded that this protection also evolve.

Nichols (1963) observes that this system worked well as long as the two sections grew in parallel. The historic mechanism of sectional balance necessitated balanced growth. With some important difficulties, this balance was maintained for three generations. Natural economic expansion of the northern economy implied a political imperative for the expansion of the slaveholding society: If the North grew, so too must the South. This perspective explains both the general stability of the nation and its episodic crises.

Yet this exchange ran in to two problems in the late antebellum era, both with centripetal effects. First, the South ran out of land within which to expand. In the context of the fast-paced expansion of the northern economy beginning in the late 1840s, this was frightening, and caused considerable southern anxiety as they searched for alternatives, and none were obvious. Although the war with Mexico gained new land, organized without restrictions, this area was unsuitable for slavery at the current
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price of slaves, and few slaves moved into these areas. This left few alternatives for expansion: the Caribbean, Mexico, or the lands previously designated free by the Missouri Compromise. Northerners found none of these alternatives attractive. The only other possibility was to create a new mechanism protecting slavery. Institutions providing credible commitments are not easy to engineer. Calhoun’s “concurrent majority,” explored in his *Disquisition on Government*, is an example, though this mechanism had little chance of becoming a reality in the 1850s.

Second, due to the huge immigration of the late antebellum years, the northern population expanded so that, by 1860, it was twice the size of the South’s. The political growth of the northern electorate threatened to overwhelm the influence of southerners in national politics.

Third, the increasing harmony of interests between the Northwest and the Northeast led to greater demands to expand the northern economy and a demand for political power to pass measures fostering expansion, such as policies promoting land acquisition and transportation policies helping build access of new areas of national and international markets.

Yet these northern demands came at just a time when Southerners were most anxious about the political implications of northern expansion. Their reaction was to use their numbers in Congress to block measures sought by Northerners. As northern demand for national policies promoting northern expansion grew, southern willingness to cooperate went down.

At the same time, the unavailability of land led Southerners and their northern coalition partners in the Democratic party to propose expansion into the areas previously designated free by the long-standing and historic Missouri Compromise. Large numbers of Northerners, believing that this was “taking away our land,” reacted negatively. Many northern voters now believed they had sufficient evidence to believe in the slave power conspiracy. The Supreme Court’s inept attempt in 1857 to protect the South in these difficult circumstances, *Dred Scott*, only made the problem worse (Fehrenbacher 1978), again seeming to provide more evidence of a slave power conspiracy. Northerners naturally demanded that the majority – themselves – rule.
In short, two demands collided in the 1850s – the northern demand to foster expansion of their economy and to have the unobstructed political power to implement these policies; and the southern demand for political power and protection within a system increasingly dominated by northerners at best indifferent to slavery.

To solve this problem short of secession or civil war, Northerners would have to design a problem in which they gained power to pursue their policies while providing a credible mechanism to protect the southern slave economy. In the emotionally charged circumstances of the 1850s, few recognized the problem in this way. Indeed, the Republicans gained power in part by attacking the South and promising to limit its political power: As Lincoln argued, the majority should rule.

Thus, the Republicans electoral incentives generated by northern voters encouraged them to limit the South. Yet their electoral stance necessarily raised southern anxieties, increasing southern demands for protection, the very protection Republicans seemed unwilling to help devise.

Although I argue that, without the protection of their historic credible commitment, Southerners became vulnerable to the election of Republicans, this does not imply that war was inevitable on Lincoln’s election. The argument does imply that harmony among the sections required in 1861 a new compromise, one recognizing the Republicans right to govern while protecting rights in slaves.

In my current work, I have extended the approach developed above to cover the circumstances of the late 1850s and especially the secession, including considerable new evidence supporting the approach’s treatment of this period. Unfortunately, none of this material is yet written, and part V remains an glaring omission from this manuscript. I hope to rectify this in the near future.
A NOTE ON DATA SOURCES

Data for all House of Representatives votes are from Poole and Rosenthal's (1990b) "4House." This data base contains the ICPSR files of all roll call votes in the House of Representatives from the 1st through the 99th Congresses. For each vote, 4House provides the following data for every member of Congress: the member's ICPSR number, state, party (corrected according to Martis 1989), the two Poole and Rosenthal scores (called "XCORD" and "YCORD" by 4House), and member's vote on the particular issue. 4House thus served as the source for the analysis of all votes discussed in the manuscript.

Data on the partisan composition of – and the regional representation in – the two chambers were taken primarily from Martis (1989), supplemented by Austin (1986), Burnham (1955), and the Historical Abstracts.

Economic data reported in the various tables have been taken from a range of secondary sources, as indicated in the specific tables and figures.
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